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Washington, Thursday, November 16, 1944

The President

EXECUTIVE ORDER 9500

EXTENSION OF TRUST PERIODS ON INDIAN LANDS EXPIRING DURING THE CALENDAR YEAR 1945

By virtue of and pursuant to the authority vested in me by section 5 of the act of February 8, 1887, 24 Stat. 388, 389, by the act of June 21, 1906, 34 Stat. 325, 326, and by the act of March 2, 1917, 39 Stat. 969, 976, and other applicable provisions of law, it is ordered that the periods of trust applying to Indian lands, whether of a tribal or individual status, which, unless extended, will expire during the calendar year 1945, be, and they are hereby, extended for a further period of twenty-five years from the date on which any such trust would otherwise expire.

This order is not intended to apply to any case in which the Congress has specifically reserved to itself authority to extend the period of trust on tribal or individual Indian lands.

FRANKLIN D ROOSEVELT

THE WHITE HOUSE,
November 14, 1944.

[F. R. Doc. 44-17506; Filed, Nov. 15, 1944;
11:56 a. m.]

Regulations

TITLE 5—ADMINISTRATIVE PERSONNEL

Chapter I—Civil Service Commission

PART 12—REMOVALS AND REDUCTIONS

RETENTION PREFERENCE REGULATIONS FOR USE IN REDUCTIONS IN FORCE

By virtue of the authority vested in the Commission by the Veterans' Preference Act of June 27, 1944, the following regulations are promulgated and the regulations approved July 31, 1944 governing reductions in force (9 F.R. 9575) are hereby revoked as of December 1, 1944.

- Sec.
- 12.301 Extent of regulations.
 - 12.302 Definitions.
 - 12.303 Retention preference classification.
 - 12.304 Completion of employee records.
 - 12.305 Determination of competitive area.
 - 12.306 Special rule relating to consolidations and mergers.
 - 12.307 Compilation of retention register.
 - 12.308 Sequence of selection.
 - 12.309 Actions.
 - 12.310 Notice to employees.
 - 12.311 Reports to the Commission.
 - 12.312 Special rules on liquidation.
 - 12.313 Appeals.
 - 12.314 Actions disapproved by the Commission.
 - 12.315 Effective date.

AUTHORITY: §§ 12.301 to 12.315, inclusive, issued under authority of sec. 12 of Veterans' Preference Act of June 27, 1944, Pub. 359, 78th Cong., 2d Sess. (58 Stat. 387; 5 U.S.C. 861)

§ 12.301 *Extent of regulations.* These regulations establish degrees of retention preference and uniform rules for reductions in force. They apply to all civilian employees in the executive branch of the Federal Government, and in the municipal government of the District of Columbia, except those whose appointments are required to be approved by the Senate, and those who are appointed by the President of the United States.

§ 12.302 *Definitions.* For the purpose of these regulations, definitions are given for words, terms, and phrases as follows:

(a) "Reduction in force" means the involuntary separation from the rolls of a department, or furlough in excess of ninety days, of one or more employees in order to reduce personnel. Reduction of personnel may have to be made because of lack of funds, personnel ceilings, reorganization, decrease of work, to make a position available for a former employee with established reemployment or restoration rights, or for other reasons. However, the term does not apply to (1) termination of temporary appointments limited to one year or less, (2) termination of appointments on a when-actually-employed (WAE) basis, (3) retirement of employees, or (4) separations for unsatisfactory service.

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NOTICE

The Cumulative Supplement to the Code of Federal Regulations, covering the period from June 2, 1938, through June 1, 1943, may be obtained from the Superintendent of Documents, Government Printing Office, at \$3.00 per unit. The following are now available:

- Book 1: Titles 1-3 (Presidential documents) with tables and index.
- Book 2: Titles 4-9, with index.
- Book 3: Titles 10-17, with index.
- Book 4: Titles 18-25, with index.
- Book 5, Part 1: Title 26, Parts 2-178.
- Book 5, Part 2: Title 26, completed; Title 27; with index.
- Book 6: Titles 28-32, with index.
- Book 7: Titles 33-45, with index.
- Book 8: Title 46, with index.

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(b) "Retention groups" and "sub-groups" mean classes of employees entitled to the same degree of retention preference on the basis of tenure of employment and veteran preference.

(c) "Retention credits" are credits for length of service and efficiency ratings in determining retention order in each retention subgroup. They are computed by allowing one point for each full year of Federal government service and 80 points for a "Good", 88 points for a "Very Good", and 96 points for an "Excellent" efficiency rating.

(d) "Federal government service" means the total of all periods of service eligible for consideration for civil service retirement purposes, without regard to whether the employee is eligible or will be eligible actually to receive retirement benefits. All active military service is counted whether or not veteran preference is given therefor or whether it is eligible to be considered for civil service retirement purposes. Total service shall consist only of full years of creditable service, but fractions of a year shall be considered in arriving at the total.

(e) "Efficiency rating" means (1) for employees paid under the compensation schedules of the Classification Act of 1923 as amended, or of Executive Order No. 6746, the current official efficiency rating under the Uniform Efficiency Rating System; and (2) for other employees the current efficiency rating under an efficiency rating system which is in general compliance with the uniform system.

Administratively adopted efficiency rating systems not in general compliance with the uniform system may be used for determining retention credits with the prior approval of the Commission.

(f) "Veteran preference employee" means an employee entitled to veteran preference under the Veterans' Preference Act of 1944.

(g) "Department" means an entire executive department, parent organization with constituent agencies, independent establishment, government-owned or government-controlled corporation of the Federal government, the municipal government of the District of Columbia, or any other such organization or separate governmental agency of the executive branch of the Federal government created by act of Congress or Executive order.

(h) "Governmental entity" means a department, bureau of a department, parent organization, constituent agency, independent establishment, entire field installation, regional office, or field station, an operating department of the municipal government of the District of Columbia, or any other such organization or separate governmental agency of the Federal government created by Act of Congress or Executive order.

(i) "Competitive area" means a governmental entity, a combination of governmental entities, or that part of a governmental entity for which approval has been secured from the Commission within which employees of a competitive level are considered to be in competition.

(j) "Competitive level" means all positions in the same grade of the same service, trade, or profession (although they

may have different titles or different pay rates), in which interchange of personnel is feasible.

§ 12.303 Retention preference classification. For the purpose of determining relative retention preference in reductions in force, employees shall be classified according to the following competitive retention groups and subgroups:

Group A: All employees serving under appointments without time limitation or who were transferred or promoted without break in service from appointments without time limitation to appointments with time limitation, except those in retention group C.

NOTE: A period of separation from the Federal service for less than thirty calendar days is not considered as a "break in service".

A-1 plus (During one-year period after return to duty, as required by law).

A-1 With veteran preference unless efficiency rating is less than "Good".

A-2 Without veteran preference unless efficiency rating is less than "Good".

A-3 With veteran preference where efficiency rating is less than "Good".

A-4 Without veteran preference where efficiency rating is less than "Good".

Group B: All other employees serving under appointments with time limitations, such as war service appointments, except those in retention group C.

B-1 With veteran preference unless efficiency rating is less than "Good".

B-2 Without veteran preference unless efficiency rating is less than "Good".

B-3 With veteran preference where efficiency rating is less than "Good".

B-4 Without veteran preference where efficiency rating is less than "Good".

Group C: All employees serving under appointments specifically limited to one year or less, all employees serving on a when-actually-employed (WAE) basis, all employees retained beyond the automatic retirement age, and all annuitants appointed under section 2 (b) of the Civil Service Retirement Act of May 29, 1930, as amended.

C-1 With veteran preference unless efficiency rating is less than "Good".

C-2 Without veteran preference unless efficiency rating is less than "Good".

C-3 With veteran preference where efficiency rating is less than "Good".

C-4 Without veteran preference where efficiency rating is less than "Good".

§ 12.304 Completion of employee records. Departments and governmental entities are responsible for maintaining current records of information necessary for determining retention preference of employees. This includes, for each employee in retention group A, information as to whether he has a classified (competitive) civil service status in his present position, or in any previous position.

If these records are incomplete, they shall be supplemented by written statements from employees, supported by a signed certificate substantially as follows:

I certify that the information submitted herewith is true, correct, and complete to the best of my knowledge and belief.

§ 12.305 Determination of competitive area. The area in which a reduction in force is made should be a governmental entity as defined in § 12.303 (h).

No reduction in force affecting employees in retention groups A or B shall be made in any smaller competitive area

in Washington, D. C., or vicinity, without obtaining prior approval from the central office of the Commission, or elsewhere without securing prior approval from the appropriate regional or branch office of the Commission. Approval will be given if the proposed competitive area is large enough to prevent the loss of highly efficient employees, to allow true competition to exist, and to protect the high retention preference of group A employees. Consideration will be given to the extent of the competitive level or levels to be affected, whether the proposed competitive area has independence of operation, work functions, and personnel administration (although policies may be established in higher department levels), whether the staff of the proposed competitive area is separately organized and clearly distinguishable from other units of the governmental entity, and whether it is within local commuting distance of other units of the governmental entity.

If there is doubt as to the size and scope of competitive areas, or if it is desired to establish competitive areas smaller than governmental entities as a standard practice for reductions in force, departments shall submit proposed plans of such competitive areas to the central office of the Commission. When approved, subsequent clearance with the Commission will not be necessary unless (a) a proposed competitive area does not conform to the plan, (b) reorganization has affected the plan, or (c) there has been a change in the facts upon which the plan was originally based.

§ 12.306 Special rule relating to consolidations and mergers. Before any reduction in force is made as the result of the transfer of any or all of the functions of one department to another continuing department, all veteran preference employees and all retention group A employees assigned to any such function shall be transferred to such continuing department.

§ 12.307 Compilation of retention register. Whenever there is to be a reduction in force there shall first be determined the competitive level or levels to be affected. Each employee whose official position is in such a competitive level shall be considered in competition in his retention group in any reduction in force, whether he is in a duty or leave status, pay or nonpay status, or actually engaged on work in another department, another competitive area, or in another competitive level; except that there shall be excluded all persons in the active military service of the United States or in the Merchant Marine, all persons on furlough to private industry or public enterprise under the provisions of § 18.9 (d) of this chapter, and all persons on terminal leave.

A retention register shall be compiled for each competitive level in which a reduction in force is to be made, showing the names of all employees in competition by retention groups and subgroups. It shall be arranged in sequence showing subgroup A-1 plus with highest retention preference, followed in order by subgroups A-1, A-2, A-3, A-4, B-1,

B-2, B-3, B-4, C-1, C-2, C-3, and C-4. Within each subgroup in retention groups A and B where some but not all employees may be affected by the reduction in force, names shall be arranged in sequence according to reduction credits, with higher retention preference accorded to those with a greater number of retention credits. No computations of retention credits are necessary for employees in any retention subgroup which will not be affected by the reduction in force, in any subgroup where all of the employees are to be separated, or in retention group C. For this purpose, the employee records shall be reviewed and brought up to date with respect to length of service, efficiency ratings, and other particulars regarding which changes have occurred since the records were last made current.

This register shall be maintained in the order specified for inspection by employees, and shall at all times be available for inspection by representatives of the Commission.

§ 12.308 Sequence of selection. Within each competitive level, action must be taken to eliminate all employees in lower subgroups before a higher subgroup is reached, and within each subgroup of retention groups A and B, action must be taken concerning all employees with a lower number of retention credits before an employee with a higher number of retention credits is reached, except as provided below. Action may be taken at administrative discretion within any subgroup of retention group C. Whenever two or more employees are tied for position in retention group A or B, the ties shall be broken by giving consideration to such matters as dependents, official conduct, or established administrative policy.

In unusual situations, an employee performing necessary duties which cannot be taken over by any other available employee with higher retention preference without undue interruption to the activity involved, may be retained, although employees with higher retention preference may be affected. A written statement of the reasons for such exception shall be made for inspection by employees adversely affected and for review by representatives of the Commission.

Within each subgroup in retention group A, employees with classified (competitive) civil service status shall be retained in positions under the Civil Service Act and rules in preference to employees without classified (competitive) civil service status, regardless of retention credits.

When a reduction in force is necessary only because of a curtailment in funds from which excepted employees are paid, only employees in excepted positions shall be considered in competition for the reduction in force.

Seasonal employees shall be considered in competition only with other seasonal employees in reductions in force.

No discrimination shall be exercised, threatened or promised in any reduction in force against or in favor of any em-

ployee because of race, or his political or religious opinions or affiliations.

§ 12.309 *Actions.* Employees who cannot be retained in their positions because of a reduction in force shall be separated, except as provided below. Such actions may be effective at different times within ninety day periods, each ninety day period being considered as a separate reduction-in-force program, and may be made effective without the prior approval of the Commission.

(a) *Exceptions; furloughs.* Where the reduction in force is the result of a temporary condition which is not expected to continue for more than one year, employees reached for action may be furloughed. Furloughs may also be used in lieu of separations except that in any reduction in force where any employee is furloughed in lieu of separation, all employees with higher retention preference who have been reached for action shall also be offered furloughs in lieu of separation. The furlough period shall not exceed the unexpired portion of the period of appointment and in no case shall it exceed one year. In the event that vacancies are to be filled in positions of the competitive level and competitive area from which employees have been furloughed, the furloughed employees shall be given opportunity to return to duty before any original appointments are made to such positions. Offers of recall to duty shall be made in the order of retention preference of furloughed employees.

(b) *Exceptions; statutory retention.* Whenever an employee in subgroup A-1 plus is reached for action in a reduction in force, he shall be placed in some other position of like seniority, status, and pay elsewhere in the department, and, wherever possible, at the same geographical location.

(c) *Exceptions; status employees.* Whenever a retention group A employee with a classified (competitive) civil service status cannot be retained in his present position, he shall be given an opportunity for transfer or reassignment to a continuing position at the same geographical location: *Provided*, That there is available a position under the Civil Service Act and rules, not occupied by a retention group A employee with a classified (competitive) civil service status, which may reasonably be expected to continue for one year or more, which the retention group A employee is qualified to fill without undue interruption to the activity involved. Departments are authorized to waive this rule in the cases of retention group A employees who have restoration or reemployment rights to positions in other departments.

(d) *Actions concerning displaced employees.* Additional actions necessary in connection with employees displaced as a result of transfers or reassignments under paragraphs (b) and (c) of this section shall be determined on the basis of their retention preference in their respective competitive areas and competitive levels.

§ 12.310 *Notice to employees.* Each employee affected by a reduction in force

shall be given an individual notice in writing at least thirty days before the action becomes effective. A statement of availability shall also be given to each employee who is to be separated or furloughed. Wherever possible, this notice shall be given thirty days before the employee is relieved from active duty, and the employee shall be continued in a pay status until his accrued annual leave is exhausted. Where there is insufficient work to continue the employee in an active duty status for thirty days, he shall have the greatest notice possible before he is relieved from active duty, and shall thereafter be carried in a pay status until his accrued leave is exhausted. If the period of active duty after notice is given and the period of accrued leave total less than thirty days, the employee shall be carried in a nonpay status for the remainder of the thirty day period. Besides specifying the nature of the action and the date of termination of active duty, the notice shall inform the employee of:

(a) His right to be continued in a pay status until accrued leave is exhausted,

(b) The proper office of the organization where he may examine a copy of these regulations and inspect the retention register and records,

(c) His right to appeal the proposed action to the Commission (Washington employees to the central office and others to the appropriate regional or branch office) within ten days from the receipt of notice, and

(d) The procedure for exercising any restoration or reemployment-list rights he may have, and the channels (departmental and field) through which he may apply for other government employment.

§ 12.311 *Reports to the Commission.* As soon as employees are notified of the proposed action, and within the ten day period allowed for the filing of appeals, a notice shall be sent to the appropriate office of the Commission indicating the retention subgroup and credit point above which employees will be retained, listing the names of any employees below such point who are retained, and the reasons for their retention, and certifying to compliance with all regulations governing the actions.

§ 12.312 *Special rules on liquidation.* Whenever it has been determined that all functions and all positions in an entire department, an entire governmental entity, or an entire competitive area are to be abolished within a specified time period, actions may be taken in regard to individual employees at different dates at administrative discretion; except that no employee with veteran preference shall be separated before an employee without veteran preference where their positions are immediately interchangeable.

NOTE: A mere limitation of authority to a specified date in the law which establishes, authorizes or extends an agency is not a sufficient basis for the application of the provisions of this section of these regulations.

In such cases, the employees of the particular department, entity, or competitive area shall be given individual notices in writing containing a statement

of the law, Executive order, or authority which requires the liquidation of the department, governmental entity, or competitive area, and the time period in which the liquidation is to be accomplished, and informing them of their rights to appeal to the Commission if they feel that there has not been compliance with the provisions of these regulations. The notices shall also inform employees of their rights to retention on the rolls for at least thirty days, of the procedures necessary to exercise any restoration or reemployment rights they may have to positions in other departments, governmental entities, or competitive areas, and of the procedures necessary to have their names entered on the reemployment list.

A report of all liquidation programs shall be made to the Commission which shall include (a) a copy of the law, Executive order, or other authority for the liquidation of the department, governmental entity, or competitive area; (b) a certificate that no employee with veteran preference is being separated in advance of any employee without veteran preference where their positions are immediately interchangeable; and (c) a list of all retention group A employees with classified (competitive) civil service status who have not been transferred or assigned to other positions. This report shall be submitted within ten days after the first individual notices of separation are given to the employees affected.

Where it is necessary to liquidate a major activity which is not an entire competitive area, or which is a part of two or more competitive areas, the Commission will consider a request to establish such activity as a competitive area for the purpose of such liquidation.

§ 12.313 *Appeals.* Any employee who feels that there has been a violation of his rights under these regulations may appeal to the appropriate office of the Commission within ten days from the date he received his notice of the action to be taken. This time limit may be extended only upon a showing by the employee that circumstances beyond his control prevented him from filing his appeal within the prescribed ten days. In order that employees may be informed of the facts on which action is based they shall have the right to examine a copy of these regulations and to inspect the retention register and records on which their names appear, including statements of reasons for passing over employees with lower standing on the retention list. Such appeal should set forth whether the protest against action is based on an error in the records, violation of the rules of selection, restriction of competitive area or competitive level, or denial of right to examine regulations, retention register and records.

§ 12.314 *Actions disapproved by the Commission.* Whenever the Commission, as the result of a decision on the appeal of an employee, disapproves the action taken under these regulations, the head of the department or governmental entity shall restore the employee to active duty.

With respect to reductions in force outside the Washington, D. C., area, the decision of the Commission's regional director is the decision of the Commission on appeals.

§ 12.315 *Effective date.* These regulations shall be in effect on and after December 1, 1944.

NOTE: Miscellaneous information; Commission points of contact. Inquiries and correspondence concerning these regulations or standard plans of competitive areas, and reports and appeals concerning reduction-in-force and liquidation programs in the vicinity of Washington, D. C., shall be addressed to the Civil Service Commission, Washington 25, D. C. for the attention of the Efficiency Ratings Administration Section, Personnel Classification Division, Room 801, Victor Building, 724 9th Street, N.W.

Inquiries, correspondence, reports and appeals concerning reduction-in-force and liquidation programs outside the Washington, D. C. area, except matters involving an established plan of competitive areas for the department or governmental entity, shall be addressed to the appropriate regional or branch office of the Commission.

By the United States Civil Service Commission,

[SEAL]

H. B. MITCHELL,
President.

NOVEMBER 3, 1944.

[F. R. Doc. 44-17402; Filed, Nov. 14, 1944;
9:27 a. m.]

TITLE 7—AGRICULTURE

Chapter XI—War Food Administration (Distribution Orders)

[WFO 54-4, Amdt. 6]

PART 1401—DAIRY PRODUCTS

DRIED SKIM MILK

War Food Order No. 54-4, as amended (9 F.R. 4675, 7040, 9526, 10239, 11927, 12579), is hereby further amended by inserting at the end of § 1401.179 (b) the following additional sentence: "Each producer shall set aside in the calendar months of December 1944 and January 1945 a quantity of spray dried skim milk equal to 40 percent of all spray dried skim milk produced by him during each such month."

This order shall become effective at 12:01 a. m., e. w. t., December 1, 1944. With respect to violations, rights accrued, liabilities incurred, or appeals taken under said War Food Order No. 54-4, as amended, prior to the effective time of the provisions hereof, the provisions of said War Food Order No. 54-4, as amended, in effect prior to the effective time hereof shall be deemed to continue in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with regard to any such violation, right, liability, or appeal.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; WFO 54, 8 F.R. 7210, 9 F.R. 2875, 4321, 4319, 9584)

Issued this 14th day of November 1944.

C. W. KITCHEN,
Acting Director of Distribution.

[F. R. Doc. 44-17452; Filed, Nov. 14, 1944;
3:11 p. m.]

TITLE 24—HOUSING CREDIT

Chapter VII—National Housing Agency

[NHA Reg. 60-5D]

PART 703—PUBLIC WAR HOUSING

OCCUPANCY OF PUBLIC WAR HOUSING

This regulation supersedes Regulation No. 60-5C (9 F.R. 2818).

Sec.

- 703.1 Purpose and general policy.
- 703.2 Exclusive reservation.
- 703.3 Limited reservation.
- 703.4 Modification of occupancy provisions.
- 703.5 Suspended housing.
- 703.6 Stand-by housing.
- 703.7 Terminated housing.

AUTHORITY: §§ 703.1 to 703.7, inclusive, issued under 55 Stat. 838; E.O. 9070, 7 F.R. 1529; 54 Stat. 676 as amended by 55 Stat. 236 and 56 Stat. 177; E.O. 9024, 7 F.R. 329, as amended by E.O. 9040, 7 F.R. 527, and E.O. 9125, 7 F.R. 2719.

§ 703.1 Purpose and general policy.

(a) This regulation revises and supersedes Regulation 60-5C. It adds new subparagraphs (4) and (5) in lieu of subparagraph (4) in § 703.4 (c) of the superseded regulation, and provides for an occupancy preference for veterans and families of absent military personnel in the relaxation of exclusive reservation requirements applicable to public war housing in the event there is no present or anticipated demand for occupancy by the war workers or military personnel specified in § 703.4 (c).

(b) This regulation sets forth the public war housing to which occupancy standards apply, the persons who are eligible war workers for such housing, the length of time such housing must be held for their use, and the conditions under which such housing may be made available for other purposes.

§ 703.2 *Exclusive reservation.* (a) On or after February 10, 1943, initial occupancy and re-occupancy of every dwelling accommodation in all Federally-owned (including leased) public war housing projects under the jurisdiction or control of NHA, or any of its constituent units,¹ shall be reserved exclusively for eligible war workers, as defined in NHA Regulation (G. O.) 60-1B, except (1) with respect to 8 Lanham Act mutual

¹ All public war housing projects undertaken pursuant to (a) the Lanham Act (Public No. 849, 76th Congress) as amended (including conversion projects undertaken under the supervision of NHA Home Use Service), (b) Public Acts Nos. 9, 73, 353, 77th Congress, and (c) Public Act No. 781, 76th Congress; all projects of Defense Homes Corporation; and all Federally-owned projects undertaken pursuant to Public Act No. 671, 76th Congress.

ownership projects under the jurisdiction of FPHA, resident as well as in-migrant civilian war workers may be admitted to occupancy, and (2) with respect to those dwellings which have been reserved for military personnel in accordance with the joint directive of the War Department, Navy Department, and NHA as revised, preference will be given to military personnel.²

(b) On or after February 10, 1943, initial occupancy or re-occupancy of every dwelling accommodation in all FPHA-aided public war projects³ for which applications for priority assistance are submitted to WPB after February 10, 1943 shall be reserved exclusively for such eligible war workers, as defined in NHA Regulation (G. O.) 60-1B, as are eligible for occupancy thereof under applicable state or Federal laws.⁴

(c) On or after February 10, 1943, re-occupancy of every dwelling accommodation in such Federally-owned public non-war housing projects⁵ under the jurisdiction of FPHA, as the National Housing Administrator determines are suitable to provide war housing, shall be reserved exclusively for eligible war workers as defined in NHA Regulation (G. O.) 60-1B.⁶

§ 703.3 *Limited reservation.* (a) Reasonable preference for occupancy by war workers (as required by the conditions under which priority assistance was granted⁷ shall be observed with respect to all FPHA-aided public war housing projects for which applications for priority assistance were submitted to WPB

² Tenants for such dwellings are selected by the local commandant.

³ Federally-aided local authority-owned Public Act No. 671 projects and priority assisted Public Act No. 412 projects.

⁴ Tenant selections, in projects included in this § 703.2 (b) which are located in States that have not enacted appropriate defense or war housing legislation, is subject to low-income limitations of applicable state housing legislation; and with respect to those projects which are not converted to Public Act No. 671, tenant selection is subject also to the low income limitations of the United States Housing Act and of applicable state housing legislation.

⁵ FPHA-operated PWA Housing Division projects, local authority-leased PWA Housing Division projects, and non-farm housing projects transferred to FPHA from FSA pursuant to the provisions of paragraph 1 (g) of Executive Order 9070.

⁶ On all projects described in this § 703.2 (c) where there are outstanding lease or sale agreements, compliance with the provisions of this regulation is subject to appropriate modification of such outstanding lease or sale agreements to conform them to the provisions of this regulation. On all PWA Housing Division projects, compliance with the provisions of this regulation is subject to the obtaining of appropriate Presidential findings and conversion to Public Act No. 671.

⁷ The conditions under which priority assistance for these projects were granted defined reasonable preference as meaning that each dwelling unit shall be reserved for occupancy by in-migrant or resident war workers for 30 days after the entire project is available for occupancy or 90 days from starting to take tenant applications, whichever period is longer.

prior to February 10, 1943.* The local housing authorities that own and manage these projects shall be requested to conform, to the extent practicable, their management programs by reserving initial occupancy or re-occupancy in these projects to such eligible war workers (as defined in NHA Regulation (G. O.) 60-1B) as are eligible under applicable state or Federal laws in the same manner as is required with respect to the projects described in § 703.2 (b) above.

§ 703.4 *Modification of occupancy provisions.* (a) Each National Housing Agency Regional Representative is hereby authorized on his own initiative (or on the basis of recommendations which the NHA constituent unit having control of the public war housing involved may initiate) to relax the exclusive reservation requirements for any public war housing, where such action is deemed appropriate in the interests of the war housing program. When so acting, the Regional Representative may act without reference to whether the housing has been completed or to how long it has been held available after completion. The Regional Representative shall give prompt notification of any such relaxation to the NHA constituent unit having control of the public war housing involved, in order that such unit may put the proposed relaxation into effect or discuss it further with the Regional Representative.

(b) The NHA constituent unit having control of any public war housing may relax the exclusive reservation requirement applicable to such housing, where such action is deemed appropriate in the interests of the war housing program: *Provided*, That the NHA constituent unit shall advise the National Housing Agency Regional Representative not less than 10 days prior to taking such action in order that the Regional Representative may have adequate opportunity if he so desires to require a further holding period for the housing involved. Such relaxations may be made without reference to whether the housing has been completed or to how long it has been held available after completion.

(c) Relaxation of the exclusive reservation requirements applicable to public war housing shall rest primarily upon the need to make prompt and effective use of public war housing units even when not needed for the precise types of war workers eligible under existing occupancy rules, because of inexact forecasting in earlier programming or because of changes in contract and employment schedules after the programs were written. After the exclusive reservation requirements have been relaxed, the NHA constituent unit having control

of the public war housing involved shall permit such housing to be occupied in the following order of preference: (1) Eligible war workers under the existing rules; (2) eligible in-migrant military personnel, viz., enlisted men in the naval or military services of the United States or officers of the Army or Marine Corps not above the rank of Captain, and officers of the Navy and Coast Guard not above the grade of Lieutenant, Senior Grade, assigned to duty at military or naval reservations, posts or bases, or to duty at defense industries; (3) other civilian war workers (as defined in NHA Regulation (G. O.) 60-1B) or eligible military personnel; (4) (in the event there is no present or anticipated demand for occupancy by such other civilian war workers or military personnel) veterans discharged or released from active service under conditions other than dishonorable within one year prior to application for occupancy in such housing and families of military personnel who will not reside with their families in such housing because of military service, if not ineligible for occupancy under state law where applicable; or (5) others eligible for occupancy as determined and prescribed by the NHA constituent unit having control of the public housing involved.

(d) When relaxation of exclusive reservation requirements is contemplated for an entire locality or for a very substantial volume of public war housing, as distinguished from individual cases or relatively small volumes of housing, the Regional Representative shall feel free if he deems it necessary to consult with the Office of the Administrator prior to taking action. What constitutes a "very substantial volume" of public war housing varies with local conditions, but a volume amounting to more than 25 percent of the total number of public war housing units in the locality would certainly be so considered. Whether the relaxation be individual, small or substantial, the Regional Representative shall notify the Office of the Administrator of action taken as promptly as feasible, in order that such office may keep abreast of current developments.

§ 703.5 *Suspended housing.* (a) Each National Housing Agency Regional Representative is hereby authorized to recommend suspension of any Federally-owned public war housing projects or parts thereof, in accord with the detailed conditions and procedures set forth in NHA Operating Instruction 11-18. Pending decision as to whether suspended projects or parts thereof shall be made active, limited, stand-by, or terminated, no additional commitments shall be made for the furtherance of development, but existing commitments shall be carried forward and work shall continue where contracts have been awarded and proceed orders issued.

§ 703.6 *Stand-by housing.* (a) Each National Housing Agency Regional Representative is hereby authorized to recommend revision of the locality program so as to hold for stand-by purposes any

Federally-owned public war housing projects or parts thereof, which shall result in the closing and holding of such projects or parts thereof (or the temporary cessation of development, and holding thereof, if not completed) for anticipated occupancy at some later date by in-migrant war workers. The circumstance under which such stand-by action may be taken, and the procedures in connection therewith, are set forth in detail in NHA Operating Instruction 11-18.

(b) The NHA constituent unit having control of any Federally-owned public war housing held for stand-by purposes shall have full responsibility and authority for taking as promptly as possible all necessary action resulting from the revised program, unless the Administrator directs that specific action be taken.

(c) Whenever changed circumstances or additional facts justify, the Regional Representatives may recommend restoration to active status, either with or without occupancy restrictions, or may recommend termination.

§ 703.7 *Terminated housing.* (a) Federally-owned public war housing projects or parts thereof (except permanent, unmoveable projects which are substantially completed) which are no longer needed for residential purposes in the locality during the war or during the period of orderly demobilization may be programmed as terminated, with consequent provisions for the removal, transfer to other Federal agencies, sale or lease of such housing all in accord with the relevant statutory provisions. The policies and procedures relating to such termination and disposition during the war are treated in NHA Regulation 60-11.

This regulation shall be effective immediately.

JOHN B. BLANDFORD, Jr.,
Administrator.

[F. R. Doc. 44-17473; Filed, Nov. 15, 1944;
11:11 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter VIII—Foreign Economic Administration

Subchapter B—Export Control

[Amdt. 254]

PART 809—PROCEDURE RELATING TO SHIPMENT OF LICENSED EXPORTS TO FRENCH POSSESSIONS IN THE PACIFIC (INCLUDING NEW HEBRIDES), AND CERTAIN MIDDLE EAST DESTINATIONS

SHIPMENTS TO MIDDLE EAST DESTINATIONS

Part 809—Procedure Relating to Shipment of Licensed Exports to French Possessions in the Pacific (Including New Hebrides) is hereby amended in the following particulars:

The title of said part is hereby amended to read as set forth above.

Section 809.1 *Applicability* is hereby amended by adding to the destinations listed therein the following destinations:

* Includes Federally-aided local authority-owned Public Act No. 671 projects and priority-assisted Public Act No. 412 projects, but excludes normal low-rent housing projects under Public Act No. 412 which merely obtained civilian priority assistance without a requirement of reasonable preference for war workers.

Middle East Destinations:

Aden
Anglo-Egyptian Sudan
British Somaliland
Cyprus
Egypt
Eritrea
Ethiopia
French Somaliland (Fr. Somali Coast)
Iran
Iraq
Kambaran Island (Aden)
Khorya-Morya Island (Aden)
Lebanon
Libya
Palestine
Perim Island (Aden)
Saudi Arabia
Sokotra Island (Aden)
Syria
Trans-Jordan
Yemen

Paragraph (b) of § 809.5 Filing procedure is hereby amended to read as follows:

(b) *Where to file.* Statements of cargo availability (Form FEA-138) covering shipments to French possessions in the Pacific shall be filed with the War Shipping Administration, Division of Cargo Control, 220 Bush Street, San Francisco 4, California. Statements of cargo availability covering shipments to Middle East destinations shall be filed with the Transportation and Storage Division, Foreign Economic Administration, 61 Broadway, New York 6, New York.

This amendment shall become effective November 21, 1944 except that shipments to Middle East destinations covered by freight space applications which were on file with the War Shipping Administration prior to November 21, 1944, and approved by the War Shipping Administration, may be exported without compliance with these regulations until December 31, 1944.

(Secs. 6, 54 Stat. 714; Pub. Law 75, 77th Cong.; Pub. Law 238, 77th Cong.; Pub. Law 397, 78th Cong.; E.O. 9361, 8 F.R. 9861; Order No. 1, 8 F.R. 9938; E.O. 9380, 8 F.R. 13081; Delegation of Authority No. 20, 8 F.R. 16235; Delegation of Authority No. 21, 8 F.R. 16320)

Dated: November 11, 1944.

S. H. LEBENSBURGER,
Director,
Requirements and Supply Branch,
Bureau of Supplies.

[F. R. Doc. 44-17470; Filed, Nov. 15, 1944; 11:10 a. m.]

[Amdt. 255]

PART 801—GENERAL REGULATIONS

PROHIBITED EXPORTATIONS; MISCELLANEOUS COMMODITIES

Section 801.2 *Prohibited exportations* is hereby amended in the following particulars:

In the column headed "General license group" the group and country designations assigned to the commodity listed below, at every place where said commodity appears in said section, is hereby amended to read as follows:

Commodity and Department of Commerce No.	General license group
Beverages:	
Malt liquors, in bottles, 1702.00	K
Malt liquors, in cans, 1703.00	K
Malt liquors, in other containers, 1704.00	K
Rum, 1714.00	K
Other distilled liquors and compounds containing spirits, 1719.00	K
Sirups and flavors for beverages 1766.00	K
Fodders and feeds:	
Feeds, n. e. s., 1199.00:	
Apple pomace for feed, 1199.00	K
Barley screenings for feed, 1199.00	K
Beet pulp, dried for feed, 1199.00	K
Brewer's grain, dried for feed, 1199.00	K
Cane for cattle feed, 1199.00	K
Clippings, oat, for feed, 1199.00	K
Cottonseed hulls, including ground for feed, 1199.00	K
Cracked corn for feed, 1199.00	K
Cull beans for feed, 1199.00	K
Cull peas for feed, 1199.00	K
Gluten corn feed, 1199.00	K
Grit, pigeon, 1199.00	K
Grits, corn, and corn meal for feed, 1199.00	K
Hominy feed, 1199.00	K
Malt sprouts, feed, 1199.00	K
Oat feed, 1199.00	K
Rice bran, rice hulls or rice offal for feed, 1199.00	K
Screenings, grain for feed, 1199.00	K
Seaweed, dried, ground for feed, 1199.00	K
St. John's bread (made from carrot beans) when used as feed, 1199.00	K
Stimulflow (distiller's dried grains) used as feed, 1199.00	K
Vetch, 1199.00	K
Other feeds, n. e. s., 1199.00	None
Grains and preparations:	
Buckwheat (bu. 48 lbs.), 1021.00	K
Cornmeal (bbl. 196 lbs.), 1032.00	K
Hominy and corn grits, 1033.00	K
Kafir and milo (bu. 56 lbs.), 1036.00	K
Oats (bu. 32 lbs.), 1041.00	K
Rye (bu. 56 lbs.), 1061.00	K
Oils and fats—vegetable:	
Citrus oils, 2271.00:	
Lemon oil, 2271.00	None
Other citrus oils, n. e. s., 2271.00	K
Spices:	
Capsicum, 1549.01	K
Other spices, n. e. s., 1549.98:	
Black pepper, ground, 1549.98	None
Cloves, cracked or ground, 1549.98	None
Cumin seeds, 1549.98	None
Ginger, ground or powdered, 1549.98	None
Ginger root, 1549.98	None
Mace, 1549.98	None
Nutmegs, ground, 1549.98	None
Tonka beans, ground or unground, 1549.98	None
West India nutmegs, ground, 1549.98	None
White pepper, ground, 1549.98	None
Other spices, n. e. s., 1549.98	K
Vegetable products, miscellaneous:	
Other vegetable products, inedible, n. e. s. (include straw and cocoa expeller cake, pressed cake, waste and shells, and sulphite lignin liquor), 2999.98:	
Agar agar, powdered, flake, or other crude forms, 2999.98	None
Almond hull pulp, ground, 2999.98	K
Clover screenings, 2999.98	K
Cocoa expeller cake or press cake, 2999.98	None
Corn cob meal, 2999.98	K

Commodity and Department of Commerce No.	General license group
Vegetable products, miscellaneous—Continued.	
Other vegetable products, inedible, n. e. s., etc., 2999.98—Continued.	
Cottonseed oil pitch and oil waste, 2999.98	None
Figs, dried culls, unfit for human consumption, 2999.98	K
Gluten, 2999.98	K
Hop lupulin or lupulin extract, 2999.98	None
Lignin liquor, 2999.98	K
Soybean flour, inedible, 2999.98	None
Straw, 2999.98	K
Taploca flour, inedible, 2999.98	None
Tobacco, marked unfit for human consumption, 2999.98	None
Vegetable paste, adhesive gum, or vegetable glue products, including dry vegetable paste, white paste or glue containing less than 50% dextrine (report dry vegetable paste, white paste and dry vegetable glue containing 50% or more dextrine under 8233.00), 2999.98	None
Other vegetable products, inedible, n. e. s., 2999.98	K

(Sec. 6, 54 Stat. 714; Pub. Law 75, 77th Cong.; Pub. Law 238, 77th Cong.; Pub. Law 397, 78th Cong.; E.O. 9361, 8 F.R. 9861; Order No. 1, 8 F.R. 9938; E.O. 9380, 8 F.R. 13081; Delegation of Authority No. 20, 8 F.R. 16235; Delegation of Authority No. 21, 8 F.R. 16320)

Dated: November 7, 1944.

S. H. LEBENSBURGER,
Director,
Requirements and Supply Branch,
Bureau of Supplies.

[F. R. Doc. 44-17471; Filed, Nov. 15, 1944; 11:10 a. m.]

[Amdt. 256]

PART 811—BLANKET LICENSE "BLIT"

GENERAL PROVISIONS; MISCELLANEOUS COMMODITIES

Paragraph (f) of § 811.2 *General provisions* is hereby amended by adding to the commodities listed therein the following commodities:

Commodity	Schedule B No.
Metal Box Strapping, Seals, Fasteners and Hand Operated Strapping Tools	6037.19, 6037.59, 6037.98, 6038.19, 6038.59, 6038.98, 6095.00, 6178.98, 6209.98
Kerosene Lanterns—Tubular	9792.00
Kerosene Lamps—Fiat wick	9794.00
Corn Mills	6188.00
Alarm Clocks, except electric	9571.00
Table, household, kitchen and hospital utensils and hollow or flatware, enameled ware of iron and steel	6126.00

(Sec. 6, 54 Stat. 714; Pub. Law 75, 77th Cong.; Pub. Law 238, 77th Cong.; Pub. Law 397, 78th Cong.; E.O. 9361, 8 F.R. 9861; Order No. 1, 8 F.R. 9938; E.O. 9380, 8 F.R. 13081; Delegation of Authority No.

20, 8 F.R. 16235; Delegation of Authority No. 21, 8 F.R. 16320)

Dated: November 10, 1944.

S. H. LEBENSBERGER,
Director,
Requirements and Supply Branch,
Bureau of Supplies.

[F. R. Doc. 44-17472; Filed, Nov. 15, 1944;
11:10 a. m.]

Chapter IX—War Production Board

AUTHORITY: Regulations in this chapter, unless otherwise noted at the end of documents affected, issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 177; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1 as amended Dec. 31, 1943, 9 F.R. 64.

PART 944—REGULATIONS APPLICABLE TO THE OPERATION OF THE PRIORITIES SYSTEM

[Priorities Reg. 22 as Amended Nov. 15, 1944]

DELIVERIES INTO THE DOMINION OF CANADA

§ 944.43 (a) Preference ratings or allotments for deliveries to be made into the Dominion of Canada from the United States will be authorized by the War Production Board only upon the recommendation of the Priorities Officer of the Department of Munitions and Supply in Canada.

(b) Any person in Canada authorized to use a rating or allotment number or symbol may do so by endorsing the following certification on his purchase order:

The undersigned purchaser certifies, subject to the penalties of section 15 of the Canadian Wartime Industries Control Board Regulations, to the seller, to the Canadian Priorities Officer, and to the War Production Board, that, to the best of his knowledge and belief, the undersigned is authorized, under applicable Canadian orders to place this delivery order, to receive the item(s) ordered for the purpose for which ordered, and to use any preference rating or allotment number or symbol which the undersigned has placed on this order.

NOTE: Before the amendment of this regulation on November 15, 1944, the above certification included after the words "under applicable Canadian orders" the words "under applicable War Production Board regulations and orders". The change made by this amendment is optional, and purchasers may continue to use the old certification.

(c) The certification shall be signed manually or as provided in Priorities Regulation 7 (§ 944.27) by an official duly authorized for the purpose.

(d) After October 31, 1943, the above certification must be used instead of any other certification where a rating or allotment number or symbol is used by a person in Canada. Any certification which is specified for any other purpose by any regulation or order (except one requiring administrative action such as an allocation or express authorization)

may be omitted from purchase orders endorsed with the above certification.

(e) Purchase orders bearing the above certification must be given the same effect by suppliers in the United States as orders carrying preference ratings or allotment numbers or symbols and originating within the United States.

(f) No person shall use the above certification, or any preference rating or allotment number or symbol, on an order placed with a supplier in the United States calling for delivery to Canada unless such use is authorized under Canadian orders.

NOTE: Paragraphs (g) and (h) formerly paragraphs (f) and (g) redesignated Nov. 15, 1944.

(g) Suppliers in the United States who receive rated orders for delivery into the Dominion of Canada bearing the above form of certification may extend the ratings to the same extent as ratings originating in the United States, but must use the regular form of certification provided for use within the United States.

(h) This regulation does not apply to materials exported directly to agencies of the United States Government in Canada.

Issued this 15th day of November 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-17481; Filed, Nov. 15, 1944;
11:24 a. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S-630, Reinstatement]

BENJAMIN A. ECKSTEIN

Benjamin A. Eckstein, 15 West 47th Street, New York City, engaged in the business of buying and selling diamonds was suspended on September 30, 1944, by Suspension Order No. S-630. It appeared from the provisions of the suspension order, and, pending determination of the appeal, the suspension order was stayed by the Chief Compliance Commissioner on October 27, 1944. At the request of the respondent's attorney, the Deputy Chief Compliance Commissioner, who is reviewing the case, has directed that the stay be revoked and the order reinstated, to run for its unexpired period, subject to the respondent's right to be heard orally on the merits of the appeal and further order from the Deputy Chief Compliance Commissioner as a result thereof. In view of the foregoing:

It is hereby ordered that: § 1010.630 Suspension Order No. S-630 issued September 23, 1944, and effective September 30, 1944, be and hereby is reinstated and that the stay granted by the Chief Compliance Commissioner be revoked.

Issued this 14th day of November 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-17461; Filed, Nov. 14, 1944;
4:54 p. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S-654, Stay of Execution]

FIELD ENTERPRISES, INC., & CHICAGO SUN

Field Enterprises, Inc., & Chicago Sun, 400 West Madison Street, Chicago, Illinois, has appealed from the provisions of Suspension Order No. S-654, issued November 10, 1944 (§ 1010.654) and has requested a stay on the ground that irreparable harm would be done his business if the suspension order were not stayed. The Chief Compliance Commissioner has directed that the provisions of the suspension order be stayed, subject to reinstatement, pending final determination of the appeal or until further order by the Chief Compliance Commissioner. In view of the foregoing; *It is hereby ordered, That:*

The provisions of Suspension Order No. S-654, issued November 10, 1944, are hereby stayed, subject to reinstatement, pending final determination of the appeal or until further order by the Chief Compliance Commissioner.

Issued this 14th day of November 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-17460; Filed, Nov. 14, 1944;
4:54 p. m.]

PART 1226—GENERAL INDUSTRIAL EQUIPMENT

[Supplementary Order L-193-a, as Amended Nov. 15, 1944]

SPROCKET CHAIN, SPROCKET CHAIN ATTACHMENT LINKS AND SPROCKET CHAIN WHEELS

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of sprocket chain, sprocket chain attachment links and sprocket chain wheels for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense.

§ 1226.53 *Supplementary Limitation Order L-193-a—(a) Definitions.* The definitions in General Limitation Order L-193 do not apply to this order. For the purpose of this order "sprocket chain" means any chain and attachment links except ladder chain, designed for the purpose of operating over toothed sprocket wheels.

(b) *Inventory limitations.* No person who, in the course of his business, purchases and incorporates sprocket chain or sprocket chain wheels into machinery or equipment manufactured in whole or in part by him, or who purchases such chain or wheels for resale as such, shall accept delivery thereof if his total inventory will, after acceptance, exceed what he reasonably expects to use or resell during the succeeding 45 days. No person may deliver sprocket chain or sprocket chain wheels if he knows or has reason to believe that such delivery will increase the recipient's inventory above this 45 day limitation.

(c) *Report required before accepting delivery of sprocket chain in excess of certain quantities.* (1) No person who, in the course of his business, purchases sprocket chain for incorporation into machinery or equipment manufactured in whole or in part by him, or for resale as repair parts for such machinery or equipment, may accept delivery of more than the following quantities of sprocket chain during September 1944, or during any subsequent calendar month, unless he has first reported by letter to the War Production Board on or before the 20th day of the preceding calendar month the facts relating thereto set forth in Appendix A to this order:

Sprocket chain of all types (excluding sprocket chain wheels), total value—\$1,000

Any such person who has ordered or who may order sprocket chain for delivery during September 1944, or any subsequent calendar month, in quantities in excess of those stated above, is forbidden to accept delivery thereof (even though it is a rated order or the purchaser has been authorized to accept delivery under any other order, regulation or certificate of the War Production Board) if he has not filed with the War Production Board the report required by this paragraph. A person who instructs his supplier to reduce, postpone or cancel shipment to the extent necessary to bring his monthly receipt of sprocket chain within the quantities herein specified, and does not accept delivery in excess of these quantities need not file the report. If a supplier knows or believes that a person who should file a report has not done so, he may not make deliveries of sprocket chain to such person. In the case of export business, the supplier or his customer may file the report.

(2) Until otherwise notified by the War Production Board, a person who has filed the report may receive sprocket chain during the calendar month covered by his report and may place orders or leave in effect orders previously placed for delivery in future months, to the extent permitted by any other applicable order, regulation or certificate of the War Production Board.

(3) The War Production Board may issue directions to any person requiring him to reduce, postpone or cancel his unfilled orders for delivery of sprocket chain during the calendar month covered by his report or any future calendar month, when it finds (i) that the deliveries which he has requested appear to be in excess of the minimum practicable amounts required to fulfill his authorized production schedule or in excess of the inventory permitted by paragraph (b) or (ii) that some adjustment in his receipts of sprocket chain is necessary in order to distribute the available production thereof equitably between him and other persons to assure more uniform fulfillment of approved programs. A copy of such direction will be sent by the War Production Board to the supplier.

(4) Under this paragraph (c), a person is permitted to receive during a given period the quantity of sprocket chain for which he has filed a report, unless he has been specifically directed to reduce his receipts, in which event he may receive only the quantity permitted by the direction. However, if his supplier fails to complete shipment to him, during that period, of the quantity permitted, any such deficiency may be received later without being reported again under this order.

(d) *Exemptions.* The provisions of paragraphs (b) and (c) do not apply to (1) Army maintenance depots, Navy yards, bases, stations and depots (2) minimum production runs, or (3) automotive replacement parts, as defined in Order L-158, as amended.

(e) *Violations.* Any person who willfully violates any provision of this order, or who willfully furnishes false information to the War Production Board in connection with this order is guilty of a crime and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using material under priority control and may be deprived of priorities assistance by the War Production Board.

(f) *Appeals.* Any producer or purchaser of sprocket chain or sprocket chain wheels who believes that the terms of this order result in undue hardship may appeal by letter stating the relief requested and the reasons it is necessary.

(g) *Communications.* All appeals and other communications concerning this order should be addressed to the General Industrial Equipment Division, War Production Board, Washington 25, D. C., Ref: L-193-a.

NOTE: The reporting requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 15th day of November 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

APPENDIX A

NOTE: Appendix A amended Nov. 15, 1944.

The following information is required in the letter to be addressed to the War Production Board in accordance with paragraph (c) (1) of this Order L-193-a:

List separately each type of chain to be received, giving description, quantity (in feet if possible), approximate total value, preference rating and allotment symbol, required delivery date, and supplier's name and address. (If supplier is not the manufacturer, give manufacturer's name if known.) If shipments can be divided, list latest practicable delivery dates for each quantity. One letter may cover shipments in several months.

In addition to the foregoing the following information is required:

(a) Identify the product in which the chain will be used.

* See Interpretation 7 (as amended) of Priorities Regulation 1.

(b)* State production schedule for the months during which the chain involved in the purchase orders will be used, or at your option, if your schedule is already filed with the War Production Board, so state that fact.

(c)* State quantity of chain required per unit.

(d) State percentage of quantities listed which will be sold as repair parts.

[F. R. Doc. 44-17479; Filed, Nov. 15, 1944; 11:23 a. m.]

PART 3290—TEXTILE, CLOTHING AND LEATHER

[General Conservation Order M-356, as Amended Nov. 15, 1944]

SYNTHETIC FIBERS, YARNS AND FABRICS

The fulfillment of requirements for the defense of the United States has created shortages in the supplies of synthetic fibers, yarns and fabrics for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

Nylon

§ 3290.326 *General Conservation Order M-356—(a) Definitions.* (1) "Nylon" means synthetic fiber-forming polymeric amides having a protein-like chemical structure, derivable from coal, air and water, or other substances, and characterized by extreme toughness and strength and the peculiar ability to be formed into fibers (yarns and fabrics) and into various shapes, such as bristles, sheets, etc. "Nylon" also means fibers, yarn, thread and fabrics made of nylon.

(2) "Nylon waste" means waste, noils and garnetted or reclaimed fibers (including scraps and clippings, generated in the manufacture of thread, fabrics, rope, braiding or other material containing nylon) the total nylon content of which is 95% or more by weight.

(b) *Restrictions on nylon.* (1) No person shall sell or deliver nylon except as specifically authorized in writing by the War Production Board.

(2) No person shall knowingly purchase, accept delivery or commercially use nylon contrary to any restriction of the War Production Board.

(c) *Restrictions on nylon waste.* No person shall sell, purchase, deliver, accept delivery, process or commercially use nylon waste except to recover nylon flake or for incorporation into products to fill orders of the United States Army, Navy, Maritime Commission, War Shipping Administration or Veteran's Administration. No person shall mix nylon waste with any other waste material having less than 95% nylon content by weight.

Export of Fine Rayon Yarn and Rayon Fabrics

(d) *Definitions.* (1) "Rayon fabrics" mean broad woven synthetic fabrics (over 24 inches in width) made from continuous filament viscose yarn, cupram-

* A manufacturer who has filed WPB Form 3823 (Farm Machinery Manufacturers Report of Requirements) need not answer (b) and (c) of Appendix A.

monium yarn or cellulose acetate yarn, from viscose or acetate staple fiber, or from combinations or blends containing more than 50 per cent by weight of any such synthetic yarns. The term shall not include velvets, plushes, and other pile fabrics, upholstery, drapery and tapestry fabrics, and jacquard woven fabrics.

(2) "Fabric producer" means a person who wove, or caused to be woven for him on commission, an average of more than 25,000 yards of rayon fabrics per week during the three months' period ending September 30, 1943. Wherever the words "his total yardage production" or "produced by him" are used in paragraph (g), they refer to the yardage of rayon fabrics manufactured for, as well as by, the fabric producer.

(3) "Procurement orders" mean orders for rayon fabrics placed by the Army or Navy of the United States (including military exchanges and service departments when the order bears the appropriate endorsement referred to in paragraph (c) of Priority Regulation 17), the Maritime Commission or War Shipping Administration.

(4) "Export orders" means, with respect to fine rayon yarns as defined in General Preference Order M-37-d, orders bearing a preference rating of AA-3 or higher, and with respect to rayon fabrics, orders bearing a preference rating of AA-5 or higher, for material which is covered by or the subject of one of the following:

(i) An export license issued by Foreign Economic Administration.

(ii) A release certificate issued by or pursuant to the authority of Foreign Economic Administration in connection with a program license of the Foreign Economic Administration.

(iii) A United States Treasury Procurement Division contract or requisition placed for Foreign Economic Administration.

(iv) A purchase by The Canadian Commodity Prices Stabilization Corporation.

(v) An order from a manufacturer, who has accepted orders for garments or materials covered by export orders defined in subdivisions (i), (ii), (iii) above, for goods to be incorporated in such garments or materials.

Deliveries to or for United States Army, Navy, Maritime Commission or War Shipping Administration, and deliveries to Canada, other than on orders referred to in subdivision (iv), are not exports for the purpose of this order.

(e) (1) No preference rating applied or assigned in connection with any export order as defined in paragraph (d) (4) shall be valid, used, or given any effect unless the preference rating is applied and extended as provided in Priorities Regulation 3 and, in addition, substantially one of the following notations (whichever is appropriate) is placed on the order:

(i) The goods hereby ordered will be exported (or will be incorporated in materials to be exported) under export license No. _____

(fill in)

issued by Foreign Economic Administration.

(ii) The goods hereby ordered will be exported (or will be incorporated in materials to be exported) under release certificate No. _____ issued by or pursuant to the authority

(fill in)

of Foreign Economic Administration.

(iii) The goods hereby ordered are (or will be incorporated in material that is) the subject of United States Treasury Procurement Division Contract No. _____

(fill in)

(iv) The goods hereby ordered will be delivered to or for the account of The Canadian Commodity Prices Stabilization Corporation.

(When this is done the requirements of M-328 are met, and it is unnecessary to use any other notation.)

(2) No person shall purchase, accept delivery of, deliver or knowingly sell for delivery for export any rayon yarn or rayon fabric, without a preference rated export order as defined in paragraph (d)

(4), except rags or pieces of fabric shorter than ten yards.

(f) *Establishment of export quotas for fine rayon yarn.* (1) An export quota system is hereby established for the producers of fine rayon yarn as defined in General Preference Order M-37-d. Such export quotas will be established from time to time by the War Production Board within which quotas the Foreign Economic Administration will be authorized to assign preference ratings. Until further notice from the War Production Board, each producer of fine rayon yarn shall, regardless of preference ratings, each day set aside an amount of such yarn equal to the production of 5% of his active spindles producing viscose or cuprammonium yarn and 4% of his active spindles producing acetate yarn. The number of active spindles producing high tenacity tire-type rayon yarn shall not be included in computing the above percentages. The yarn thus set aside shall be known as "export yarn," and shall be set aside, as nearly as practicable, in such denier sizes as will fill the producer's orders on hand for such yarn at the time the producer sets his production schedule. No producer of fine rayon yarn shall be compelled to export or accept an order for export of fine rayon yarn in excess of the export quota so established for him: *Provided*, That no such producer shall be prohibited from exporting or accepting an order for export of fine rayon yarn in excess of such quota, unless specifically prohibited by the War Production Board.

(2) *Disposition of export yarn not booked or delivered.* All export yarn set aside from the production of any one month, pursuant to the provisions of paragraph (f) (1) and which has not been delivered or booked during said month, shall be immediately available for sale to any person otherwise eligible to purchase such yarn.

(3) [Deleted Feb. 8, 1944]

(g) *Establishment of export quota for rayon fabrics.* (1) An export quota system is hereby established for rayon fabrics. Pursuant to such system export quotas will be fixed from time to time by the War Production Board. Until further notice from the War Production Board, each fabric producer must accept and fill export orders for rayon fabrics until they aggregate for the cur-

rent calendar quarter four per cent of his total yardage production of rayon fabrics (excluding yardage produced by him to fill procurement orders) during the preceding calendar quarter. No fabric producer is required to accept or fill export orders for more than the established export quota, nor for more than fifteen per cent of any particular construction of rayon fabrics produced by him during the current calendar quarter. However, he is not prohibited from doing so, unless compliance with other orders or regulations of the War Production Board would forbid it.

(2) *Unfilled export quota to be carried over to next quarter.* If a fabric producer does not fill his entire export quota of rayon fabrics in any calendar quarter, the unfilled portion shall be added to his quota for the next succeeding quarter. The portion so carried over which is not filled in such succeeding quarter may be dropped. To illustrate: if the export quota of a fabric producer for the second quarter of 1944 is 100,000 yards and he books or delivers only 75,000 yards during that quarter, the remaining 25,000 yards shall be added to his quota for the third quarter of 1944. If his quota for that quarter is also 100,000 yards, he is required to accept and fill export orders aggregating 125,000 yards during the third quarter. Any part of the 25,000 yards not delivered during the third quarter is thereafter free from the restrictions of this order.

Miscellaneous Provisions

(h) *Miscellaneous provisions — (1) Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable regulations of the War Production Board, and General Conservation Order M-328, as amended from time to time.

(2) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal.

(3) *Reports.* Each producer of rayon fabrics shall forward to the War Production Board each week a copy of every export order accepted by him during the week. Each producer of rayon fabrics shall file with the War Production Board quarterly production reports on Form WPB-658-C within the time specified on said form. This reporting requirement has been approved by the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

(4) *Violations.* Any person who willfully violates any provision of this order, or who, in connection with this order, willfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(5) *Communications.* All reports required to be filed hereunder and all com-

munications concerning this order shall, unless otherwise directed, be addressed to: War Production Board, Textile, Clothing and Leather Division, Washington 25, D. C., Reference: M-356.

Issued this 15th day of November 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

INTERPRETATION I

ALL PRODUCERS OF RAYON FABRICS REQUIRED TO REPORT

Although "fabric producer" is defined in paragraph (d) (2) to mean a person who wove or caused to be woven for him on commission an average of more than 25,000 yards of rayon fabric per week during the three months' period ending September 30, 1943, paragraph (h) (3), the reports paragraph, refers to each producer of rayon fabrics regardless of the quantity he produces. Accordingly, all producers of rayon fabrics are required to report. (Issued May 25, 1944.)

[F. R. Doc. 44-17480; Filed, Nov. 15, 1944; 11:24 a. m.]

PART 3291—CONSUMERS DURABLE GOODS

(Supplementary Limitation Order L-30-d, as Amended Nov. 15, 1944)

MISCELLANEOUS COOKING UTENSILS AND OTHER ARTICLES

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of materials and facilities used in the production of miscellaneous cooking utensils and other articles for defense, for private account and for export, and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3291.165 *Supplementary Limitation Order L-30-d—(a) Definitions.* For the purposes of this order:

(1) "Manufacturer" means any person who produces or assembles any article listed on Schedule A or Schedule B attached to this order, or any part for any such article.

(2) "To produce" or "to assemble" an article does not include the application of a coating or finish or the attaching of balls, handles, spouts or ears to articles which are otherwise completed.

(3) "To put into process" means for a person to perform the first manufacturing or assembly operations on material or parts received by him.

(4) "Base period" means the twelve months ending June 30, 1941.

(5) "Joining hardware" means nuts, screws, nails, bolts, clasps, rivets and other similar items of small hardware used for joining or other similar purposes.

(6) "Repair parts" means any part for an article or product which is not produced for or used in a new article or product.

(7) "Preferred order" means any purchase order, contract, or subcontract for delivery to or for the account of the Army or Navy of the United States, the Veterans' Administration, the United

States Maritime Commission, or the War Shipping Administration.

(b) *Prohibition of production of articles on Schedule A.* No manufacturer shall produce or assemble any of the articles listed on Schedule A or parts (including repair parts) for such articles containing any metal, other than aluminum and magnesium.

(c) *Restrictions on production of articles on Schedule B.* No manufacturer shall produce or assemble any articles listed on Schedule B or any parts (including repair parts) for such articles containing any metal other than aluminum and magnesium except in accordance with the provisions of that schedule.

(d) *Exceptions.* (1) The provisions of paragraphs (b) and (c) do not apply to (i) articles produced to fill preferred orders; (ii) articles containing no metal (other than aluminum and magnesium) except iron and steel not exceeding 5% of the net weight of each article, including joining hardware; (iii) articles covered by other orders in the L-30 series, as amended from time to time, or by supplements or directions issued under those orders; or (iv) articles produced from iron or steel which, on November 17, 1942, had been cut, blanked or otherwise formed to size or shape for the articles, and is not in mill standard gauges and sizes.

(2) The War Production Board from time to time may issue directions under this order controlling the production of articles it covers. When a direction is issued its provisions will supersede the provisions of this order for the articles it covers, unless the direction states otherwise.

(e) [Deleted Nov. 15, 1944.]

(f) *Applicability of other orders and regulations.* This order and all transactions affected thereby are subject to all applicable regulations of the War Production Board. If any other order of the War Production Board limits the use of any material in the production of articles covered by this order to a greater extent than this order or any direction issued under it, the other order shall govern unless there is a provision stating otherwise.

(g) *Exceptions and appeals—(1) Production under Priorities Regulation 25.* Any person (including a person who has no quota under this order) who wants to use more iron and steel in making articles listed on Schedule B or parts (including repair parts) containing metal than the quotas fixed in Column (3) of that schedule, may apply for permission to do so as explained in Priorities Regulation 25. Similar application may be made under that regulation to produce or assemble articles (or parts for articles) listed on Schedule A or B the production of which is prohibited by this order.

2. *Appeals.* No appeal should be filed from the provisions of this order.

(h) *Violations.* Any person who wilfully violates any provision of this order or who, in connection with this order, wilfully conceals a material fact or fur-

nishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control, and may be deprived of priorities assistance.

(i) *Reports.* On or before January 20, April 20, July 20, and October 20 of each year, each manufacturer shall file with the War Production Board, Form WPB-1600, showing his production, shipment and inventory during the preceding quarter, of articles produced in accordance with Schedule B. This reporting provision has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(j) *Communications.* All reports required to be filed hereunder, and all communications concerning this order shall, unless otherwise directed, be addressed to the War Production Board, Consumers Durable Goods Division, Washington 25, D. C., Ref: L-30-d.

Issued this 15th day of November 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

SCHEDULE A—PROHIBITED ARTICLES

The production of the following articles is prohibited to the extent provided in paragraph (b) of this order, except as provided in paragraph (d):

NOTE: Items "clothes pins" and "curtain rods and fixtures and drapery attachments" deleted from Schedule A, Nov. 15, 1944.

Cake coolers
Camp grids
Candlesticks
Carpet beaters
Closet accessories, except coat and hat hooks, boot and shoe trees, garment bags and garment hangers
Concrete garbage receptacle containing more than 5 percent, by weight, of metal, exclusive of the weight of separate bases or blocks
Cup frames
Cuspidors and spittoons
Dish pans
Dust pans, silent butlers and crumb sets
Fly swatters
Funnels
Household storage articles (all articles designed for the storage of foods or household supplies including but not limited to, vegetable bins, canisters, spice sets, bread boxes, cake covers or safes, holders for salt, soap or cleanser cartons, step-on cans and window boxes for the storage of food, but excluding (i) pails, buckets and tubs; and (ii) containers designed for the packing, shipment or delivery of materials or products of any kind, including but not limited to, cans as defined in Conservation Order M-81, glass containers or closures as defined in Limitation Orders L-103 or L-103-b, and drums as defined in Limitation Order L-197
Picnic stoves
Pot chains
Pot cover holders
Sink accessories, including but not limited to, sink drainers, dish drainers and rinsing pans, but excluding pot scourers.
Soap savers and soap dishes
Toilet paper holders
Tooth brush holders
Towel bars and racks
Wash boards

SCHEDULE B—PERMITTED ARTICLES

The production of the articles listed must conform to the restrictions of this schedule to the extent provided in paragraph (c) of Order L-30-d, except as provided in paragraph (d) of that order.

No manufacturer shall produce or assemble any article (or any part for any article) falling within any class in column (1) containing any metal other than aluminum and magnesium, except articles listed in column (2). The use of metal other than iron and steel in articles in column (2) may be governed by other orders of the War Production Board but is not restricted by this order.

* NOTE: Section entitled "Definitions of terms used in column (4)," deleted Nov. 15, 1944.

Quarterly quotas of iron and steel. Except in fulfillment of preferred orders, no manufacturer shall put into process during any calendar quarter more iron and steel, by weight, in the production of any articles listed in column (2) and parts for such articles, than the percentage specified in column (3) of the average quarterly amount of iron and steel, by weight, put into process by him in the production of such articles and parts during the base period.

In addition to his quota as explained above, a manufacturer may put into process in the production of any articles during any calendar quarter any unused part of his previous quarter's quota of iron and steel for such articles.

NOTE: Table amended Nov. 15, 1944.

(1) Class of articles	(2) Permitted type in each class	(3) Quarterly quotas
Miscellaneous cooking utensils (any utensil containing more than 20%, by weight, of metal which is designed primarily for use in the preparation or cooking of food, whether for household, institutional, commercial, governmental or any other purpose).	Frying pans..... Baking pans of a type designed for household use..... Baking pans of a type designed for use and reuse in commercial bakeries and institutions..... Heavy duty roast pans..... Basting spoons..... Cake turners..... Can openers, household type..... Can openers, institutional type..... Egg beaters, rotary type..... Flour sieves..... Food choppers and grinders.....	50% 25% 75% 35% 35% 35% 100% 35% 35% 35% 75%
Kitchen tools (articles containing more than 5% by weight, of metal, commonly known as kitchen tools, including, but not limited to, can openers, jar openers, bottle openers, strainers, flour sifters, food whips, food mills, dippers, scoops, choppers, slicers, corers, mashers, shapers, beaters, graters, grinders, cutters, sieves, cake turners, basting spoons, cork screws and skewers, but excluding cutlery (which is governed by Limitation Order L-140-a), electrical appliances (as governed by Limitation Order L-65), gas appliances and power-driven equipment).	Food mills..... Ice cream dippers, commercial type..... Ice picks..... Jar wrenches..... Scoops, commercial type..... Wire strainers..... Wire whips, commercial type..... Repair parts for any kitchen tool.....	35% 15% 50% 35% 35% 35% 35% 5% of metal in such tool in base period.
Clothes wringers (except wringers which are integral parts of power-driven equipment as covered by Limitation Orders L-6 and L-91, as amended from time to time).	Hand clothes wringers.....	30%, plus 5% for repair parts.
Carpet sweepers.....	Carpet sweepers.....	30%.
Vacuum bottles and jugs.....	Vacuum bottles with capacity of one quart or less.....	75%.
Lunch boxes and dinner pails.....	Workers' lunch boxes of a type designed to hold a vacuum bottle..... Miners' dinner pails.....	75% 75% of average quarterly number of units in base period.
Garment hangers.....	Garment hangers.....	35%.

INTERPRETATION 1: Superseded Jan. 31, 1944.

[F. R. Doc. 44-17477; Filed, Nov. 15, 1944; 11:23 a. m.]

PART 3291—CONSUMERS DURABLE GOODS¹ [Limitation Order L-73, as Amended Nov. 15, 1944]

OFFICE SUPPLIES

Section 3291.275¹ Limitation Order L-73 is hereby amended to read:

§ 3291.275 Limitation Order L-73—
(a) *Definitions.* (1) "Restricted office supplies" means the office supplies listed on Schedule A of this order whether or not they can be used for any purpose other than in an office.

(2) "Manufacturer" means any person engaged in the business of making or assembling restricted office supplies.

¹ Formerly Part 1145, § 1145.1.

(3) "Special order" means any order or contract calling for ultimate delivery of restricted office supplies to the Army, Navy, Aircraft Resources Control Office (Arco), Veterans Administration, Maritime Commission, or War Shipping Administration, and any order authorized by the Maritime Commission on Form WPB-646.

(b) *Production restrictions.* No manufacturer shall use any iron or steel in the manufacture or assembly of any restricted office supplies except:

(1) Iron and steel may be used in the manufacture or assembly of any restricted office supplies to fill special orders actually on hand and received and,

(2) In the 4th calendar quarter of 1944 and each calendar quarter after that a

manufacturer may use in the manufacture and assembly of restricted office supplies for other than special orders on hand and received an amount of iron and steel not greater than 12½% of the total weight of all metals used by him in making or assembling restricted office supplies in 1940. In addition a manufacturer may use an amount of iron and steel not to exceed the unused balance of his previous quarter's quota.

(3) Any person who does not have a quota under paragraph (b) (2) and who wants to use iron or steel in the manufacture or assembly of restricted office supplies for other than special orders on hand and received, may apply for a quota by letter to the War Production Board, Washington 25, D. C., Ref: L-73. This letter should state what restricted office supplies he wants to make, and what facilities he has for this purpose. Quotas will be assigned on an equitable basis in view of the quotas of other persons in the industry. Materials will be allocated to the extent available, with the view of permitting production where this will not require materials, facilities or labor needed for war purposes and will not otherwise adversely affect or interfere with production for war purposes.

(c) *Applicability of other orders and regulations.* Manufacture, assembly and delivery of office supplies are subject to all applicable orders and regulations of the War Production Board. Certain orders restrict the use of materials in the production of office supplies. Manufacturers should consult these. If any other order of the War Production Board limits the use of any material in the production of office supplies to a greater extent than this order does, the other order shall govern.

(d) *Exceptions and appeals.* Any person who wants to use more iron and steel in the manufacture or assembly of restricted office supplies than he is permitted to use under paragraph (b) (including a person who has no quota), may apply for permission to do so as explained in Priorities Regulation No. 25. Persons without a quota may also, of course, apply for a production quota under paragraph (b) (3). No appeals should be filed from the provisions of this order.

(e) *Reports.* Every manufacturer who makes restricted office supplies must file Form WPB-1600 with the War Production Board, Washington 25, D. C., Ref: L-73, according to the instructions accompanying that form.

(f) *Violations.* Any person who willfully violates any provision of this order, or who, in connection with this order willfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using material under priority control and may be deprived of priorities assistance.

NOTE: The reporting requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 15th day of November 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

SCHEDULE A—RESTRICTED OFFICE SUPPLIES

Clips & Clamps (wire).
Clips & Clamps (other than wire).
Fastener, eyelet.
Fastener, file (metal).
Fastener, paper.
Fastening Machines, clipless.
File, archboard.
File, clipboard.
List Finders.
Pencil Sharpeners.
Perforators & Punches.
Signals, file.
Spools, inked ribbon.
Tabs, file guide or folder.
Tacks, map, including marking tacks.
Thumb Tacks.

[F. R. Doc. 44-17478; Filed, Nov. 15, 1944;
11:23 a. m.]

PART 4500—POWER, WATER, GAS, AND CENTRAL STEAM HEAT

[Utilities Order U-1 as Amended Nov. 15,
1944]

UTILITIES DEFINITIONS

(a) Definitions.

HOW TO OBTAIN MATERIAL

- (b) Preference ratings.
- (c) CMP allotment symbol.
- (d) Certification.

RESTRICTIONS ON ORDERING MATERIAL

- (e) Scheduling deliveries.
- (f) Exceptions to paragraph (e).
- (g) Short item deliveries.

RESTRICTIONS ON USE OF MATERIAL

- (h) Restrictions on use of material for maintenance and repair.
- (i) Restrictions on use of material for minor plant additions.
- (j) Restrictions on use of material for major plant additions.

SELLING MATERIAL

- (k) Sales of material.
- (l) Refusal to sell to other producers.

INVENTORY REDISTRIBUTION

- (m) [Deleted Aug. 31, 1944.]

GENERAL PROVISIONS

- (n) Appeals.
- (o) Records.
- (p) Communications to War Production Board.
- (q) Violations.
- (r) Applicability of WPB regulations.
- (s) Special inventory directions.
- (t) Special provisions relating to Form WPB-2774 approvals issued prior to August 31, 1944.

SCHEDULES

- Schedule A. Material Classes.
- Schedule B. [Deleted Aug. 31, 1944.]
- Schedule C. Limits on Practical Working Minimum Inventory.
- Schedule D. [Deleted Aug. 31, 1944.]

§ 4500.1 Utilities Order U-1—(a) Definitions. (1) "Producer" means any individual, partnership, association, corporation, governmental corporation or agency, or any organized group of per-

sons, whether incorporated or not, located in the United States, its territories, or possessions, supplying, or having facilities built for supplying, directly or indirectly for general use by the public, one or more of the following services:

- (i) Electric power.
- (ii) Gas, natural or manufactured, exclusive of the production and transmission of natural gas up to the point of its entry into gas transmission lines from field gathering lines.
- (iii) Water, other than exclusively for irrigation purposes.
- (iv) Central steam heating, or
- (v) Any of the foregoing services but not for general use by the public, if a specific direction from the War Production Board entitles such person or agency to apply the ratings herein assigned. Application for such a specific direction should be made by letter to the War Production Board, Washington 25, D. C., Ref.: U-1.

(2) "Material" means any commodity, equipment, accessory, part, assembly or product of any kind.

(3) "Controlled materials" means controlled materials as defined in Schedule I of CMP Regulation 1.

(4) "Maintenance" means the upkeep of a producer's property and equipment in sound working condition. It does not include any plant addition.

(5) "Repair" means the restoration of a producer's property and equipment to sound working condition after wear and tear, damage, destruction of parts, or the like have made such property or equipment unfit or unsafe for service. It does not include any plant addition.

(6) "Plant addition" means the construction or installation of new facilities or the replacement of existing facilities with facilities of greater capacity.

(7) "Minor plant addition" means a plant addition having a net material cost of not more than \$10,000. No job or project may be subdivided to come within this limit.

(8) "Major plant addition" means a plant addition having a net material cost of more than \$10,000.

(9) "Net material cost" means the cost of material incorporated in plant less the cost of material removed from plant, priced in accordance with the producer's regular accounting practice.

(10) "Operating supplies" means material, other than fuel, which is used or consumed in the course of a producer's operations, except in maintenance, repair, and plant additions.

(11) "Inventory" means all material in the producer's possession, without regard to its accounting classification, excluding, however, (i) material incorporated in plant, (ii) appliances and merchandising supplies, (iii) fuel, (iv) water purification and treatment material except equipment, (v) gas chemical material, (vi) material segregated for use in approved major plant additions, (vii) scrap and (viii) war surplus materials purchased.

(12) "Class" means any one of those categories of material established as a basis for classification of inventory in Schedule A of this order.

(13) "War surplus materials" means material designated as surplus to the war effort and offered for sale by any Federal government agency having jurisdiction over their disposal.

How To Obtain Material

(b) Preference ratings. (1) A preference rating of AA-1 is hereby assigned to orders to be placed by a producer for material (other than controlled materials) in every class except (i) the transmission and distribution class and (ii) the meter class, for use in maintenance and repair, as operating supplies, and for minor plant additions.

(2) A preference rating of AA-1 is hereby assigned to orders to be placed by a producer for material (other than controlled materials) in (i) the transmission and distribution class and (ii) the meter class, for use in the repair of an actual or imminent breakdown.

(3) A preference rating of AA-3 is hereby assigned to orders to be placed by a producer for material (other than controlled materials) in (i) the transmission and distribution class and (ii) the meter class, for use in maintenance and repair, as operating supplies, and for minor plant additions, except where an AA-1 rating is assigned in paragraph (b) (2) above.

(4) Material obtained with the AA-1 rating may be used for purposes which are assigned lower ratings, but it may be replaced in inventory only by applying the lower rating to an equivalent dollar value of material in the same class. Material obtained with the AA-3 rating may be used for purposes which are assigned the AA-1 rating and may be replaced in inventory with either the AA-1 rating or an authorized AA-3 rating. The provisions of this paragraph (b) (4) supersede those of § 944.11, paragraph (a), of Priorities Regulation 1.

(5) Preference ratings for major plant additions may be obtained by filing an application on Form WPB-2774.

(c) CMP allotment symbol. (1) The CMP allotment symbol U-9 is hereby assigned to orders to be placed by a producer for controlled materials for use in maintenance and repair, as operating supplies and for minor plant additions. Allotments of material for major plant additions may be obtained by filing an application on Form WPB-2774.

(2) An order for controlled materials for use in maintenance and repair, as operating supplies, and for minor plant additions bearing the CMP allotment symbol U-9 and the certification required by paragraph (d) of this order shall be deemed an authorized controlled materials order. This CMP allotment symbol shall constitute an "allotment number or symbol" for the purpose of CMP Regulation 3.

(d) Certification. The ratings assigned by subparagraphs (b) (1), (2) and (3) of this order and the CMP allotment symbol U-9 may be applied by a producer only by the use of a certification in substantially the following form unless an order of the War Production

Board affecting a particular item of material requires some other form of certification:

Preference Rating -----, CMP Allotment symbol U-9. The undersigned producer certifies subject to the penalties of section 35 (A) of the United States Criminal Code, to the seller and to the War Production Board, that, to the best of his knowledge and belief, the undersigned is authorized under applicable War Production Board regulations or orders to place this delivery order, to receive, for utility uses under Utilities Order U-1, the material ordered, and to use the preference ratings or CMP allotment symbol which the undersigned has placed on this order.

The certifications set forth in Priorities Regulation 3 and CMP Regulations 1 and 5 may not be used but the standard form of certification provided in Priorities Regulation 7 is permissible if the producer adds a statement saying that material ordered is for utility uses under Utilities Order U-1.

Restrictions on Ordering Material

(e) *Scheduling deliveries.* Except as permitted by paragraphs (f) and (g) below, no producer shall schedule for delivery to it any material to be used for maintenance and repair, as operating supplies, or for minor plant additions, unless the following conditions are satisfied:

(1) [Deleted Aug. 31, 1944.]

(2) The producer does not have reason to believe that its inventory of material in the same class is or will, by virtue of its acceptance of the delivery when made, become in excess of a practical working minimum. A practical working minimum inventory is that amount of material which a producer, exercising prudent operating judgment, considers the smallest quantity of material it can hold and render war time service at minimum standards. It may be less than the values established in Schedule C, but it shall in no case exceed them.

(3) No producer may place an order for any item of material, including material for major plant additions, if the required item or a practical substitute therefor is in the producer's inventory in excess of minimum requirements for that item.

(f) *Exceptions to paragraph (e).* (1) The restrictions of paragraph (e) do not apply to a producer so long as its inventory does not exceed \$25,000 in value, except that such a producer must restrict its inventory to that amount of material which, in the exercise of prudent operating judgment, it considers the smallest quantity it can hold and render war-time service at minimum standards. Each purchase of material by such a producer, however, must be treated as the purchase of a "short item", and is subject to the provisions of paragraph (g) below. A producer engaged in furnishing more than one of the services named in paragraph (a) (1) may consider its inventory for each service separately for the purposes of this paragraph.

(2) The restrictions of paragraph (e) do not apply to material excepted from inventory by the definition in paragraph (a) (11).

(3) [Deleted Aug. 31, 1944.]

(4) [Deleted Aug. 31, 1944.]

(5) The War Production Board may from time to time establish specific limits for permissible inventory for individual producers, modifying the provisions of Schedule C.

(6) [Deleted Aug. 31, 1944.]

(7) Notwithstanding the restrictions of paragraph (e) or of paragraph (g) below a producer may schedule an item of material for delivery in a minimum procurable commercial quantity, and in the case of cast iron, carbon steel, and non-metallic pipe, may schedule for delivery a minimum carload quantity.

(g) *Short item deliveries.* Even though it cannot schedule deliveries without exceeding the limits of paragraph (e), a producer may schedule for delivery material which it will require for use in maintenance and repair, as operating supplies and for minor plant additions during the ninety-day period following the date it expects to receive such material, so long as the producer's inventory of the required material, together with material already scheduled for delivery, will be insufficient to meet requirements during such ninety-day period.

(1) [Deleted Aug. 31, 1944.]

(2) [Deleted Aug. 31, 1944.]

Restrictions on Use of Material

(h) *Restrictions on use of material for maintenance and repair.* A job which can be classed as maintenance or repair, as those terms are defined in paragraphs (a) (4) and (5), may be done without regard to the dollar value of the material required when the following standards are met:

(1) The job must be necessary to maintain or restore service at minimum service standards or to prevent damage to facilities from serious overload, deterioration, storm, flood, climate, soil conditions, or similar contingencies.

(2) Design must emphasize economy of manpower and material as well as the substitution of the more plentiful for scarce material.

(3) No facility or part which is serviceable in its existing installation may be replaced except to avoid an imminent breakdown.

(i) *Restrictions on use of material for minor plant additions.* A job which is a plant addition, as defined in paragraph (a) (6), rather than maintenance and repair, may be done without special permission from the War Production Board, if it is a "minor plant addition"; that is, if its net material cost does not exceed \$10,000. Paragraph (a) (9) explains what is meant by net material cost. However, all minor plant additions are subject to the following restrictions:

(1) No facility or part which is serviceable in its existing installation may be replaced except to avoid an imminent breakdown.

(2) Design must emphasize economy of manpower and material as well as the

substitution of the more plentiful for scarce material.

(3) New facilities must be necessary for rendering service at minimum standards.

(4) No extension of a line to consumer premises may be made or connected by a producer unless it is authorized by a Supplementary U-1 order or by the approval of an application filed on Form WPB-2774. In an emergency approval may be obtained by telephone or telegraph. Confirmation must be obtained, however, by the submission of an application on Form WPB-2774.

(5) In the case of any building construction or alteration involving a cost in excess of \$800 for materials and labor, the restrictions on the use of certain materials contained in Appendix I, Schedule A to CMP Regulation 6 must be observed. Applications for relief from these restrictions must be filed by producers on Form WPB-2774.

(j) *Restrictions on use of material for major plant additions.* No material may be used for a major plant addition unless the job has been authorized by the approval of an application filed on Form WPB-2774. In an emergency approval may be obtained by telephone or telegraph. Confirmation must be obtained, however, by the submission of an application on Form WPB-2774.

Selling Material

(k) *Sales of material.* A producer may sell material which is in its inventory or which it acquired for major plant additions only in accordance with the following rules:

(1) It may be sold without a preference rating or CMP allotment symbol to any producer as defined in Order U-1, unless it is:

(i) Printing machinery and equipment, subject to Order L-226;

(ii) Construction machinery, subject to Order L-192;

(iii) Electric generating equipment, subject to Order L-94; or

(iv) Industrial power trucks, subject to Order L-112.

(2) It may be sold without a preference rating or CMP allotment symbol to any person if it is used material or equipment unless it is one of the items in paragraph (k) (1) above, or:

(i) Controlled materials; or

(ii) Scrap.

(3) It may be sold pursuant to a specific written authorization from the War Production Board to the seller or to the purchaser.

(4) It may be sold without a preference rating or CMP allotment symbol to a person who produces, or to the person from whom the producer purchased, the material in its present form.

(5) It may be sold without a preference rating or CMP allotment symbol to a scrap dealer as scrap unless it is rubber tires or automotive parts.

(6) It may be sold without a preference rating or CMP allotment symbol to the Army, Navy, Maritime Commission,

or a public housing authority for the repair of an actual or threatened breakdown of their electric, gas, water or central steam heating facilities.

(7) Producers may sell material pursuant to this paragraph (k). However, if a producer chooses to do so he may sell pursuant to the provisions of Pri. Reg. 13.

(1) *Refusal to sell to other producers.* Any producer may, by specific direction from the War Production Board, be prohibited from applying or extending preference ratings assigned by this order or by any other certificate or order, upon a determination by the War Production Board, that such producer has wilfully refused to sell (after receiving a bona fide offer to purchase at not less than maximum prices established by regulations of the Office of Price Administration, made by any financially responsible producer who is authorized—under applicable regulations—to accept delivery of the material specified in such offer) material in inventory when such material is required by another producer for the repair of an actual breakdown of facilities or equipment.

- (1) [Deleted Aug. 31, 1944.]
- (2) [Deleted Aug. 31, 1944.]

Inventory Redistribution

- (m) [Deleted Aug. 31, 1944.]

General Provisions

(n) *Appeals.* Relief from any of the restrictions of this order may be requested by filing a letter with the War Production Board, Office of War Utilities, Washington 25, D. C., Ref.: U-1, stating the reasons why relief is necessary. If the relief requested involves a request to make a plant addition, the request should be filed on Form WPB-2774.

(o) *Records.* In addition to the records required to be kept under Priorities Regulation 1, each producer who applies the preference ratings or allotment number hereby assigned shall maintain a continuing record of inventory and of segregated material in his possession.

(p) *Communications to War Production Board.* All reports required to be filed hereunder and all communications concerning this order, shall, unless otherwise directed, be addressed to: Office of War Utilities, War Production Board, Washington 25, D. C., Ref.: U-1.

(q) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priorities control and may be deprived of priorities assistance.

(r) *Applicability of WPB regulations.* This order and all transactions affected hereby are subject to all applicable regulations of the War Production Board, as amended from time to time, unless there is a conflict between this order and such regulations, in which case this order shall

govern, if it specifically so provides. No producer is, however, subject to the restrictions of CMP Regulation 5 nor may any producer in any way use the preference ratings therein assigned.

(s) *Special inventory directions.* Nothing in this order is intended to supersede any special inventory base established by a specific direction from the War Production Board to a named producer. All such directions shall remain in effect unless modified by a further specific direction to the producer affected.

(t) *Special provisions relating to Form WPB-2774 approvals issued prior to August 31, 1944.* With respect to WPB-2774 authorizations issued prior to August 31, 1944 and involving between \$1,500 and \$10,000 net material cost, producers may:

- (1) Use the preference ratings and CMP allotment symbol assigned in paragraphs (b) and (c) of this order in lieu of those specifically assigned on such a Form WPB-2774 authorization.
- (2) Treat as segregated under paragraph (a) (11) any material to be used pursuant to such a WPB-2774 authorization.

Issued this 15th day of November 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

SCHEDULE A

MATERIAL CLASSES

Material in the inventory of any producer which has an inventory, as defined in paragraph (a) (11), in excess of \$25,000 shall be carried on the producer's own records and reported to the War Production Board as may be required, classified as follows:

WATER PRODUCERS

Class 1—Material for sources of supply, water treatment plants, reservoirs, elevated and pressure tanks, pumping and booster stations, including related pipe, valves, valve parts, and fittings.

Class 2—Meters.

Class 3—Transmission and distribution material (excluding meters), such as cast iron, steel, and wrought iron pipe, copper and brass pipe and tubing, lead pipe, pipe fittings, valves and valve parts, hydrants, parts for meters and hydrants, and other transmission and distribution material and supplies except pipe, valves, valve parts, and fittings included in Class 1 above.

Class 4—Other material and supplies.

GAS PRODUCERS

Class 1—Production and pumping station material.

Class 2—Meters and house regulators.

Class 3—Transmission and distribution material (excluding meters and house regulators), such as cast iron, steel and wrought iron pipe, copper and brass pipe and tubing, pipe fittings, valves and valve parts, governors and regulators, parts for meters, regulators, and governors, other transmission and distribution material and supplies.

Class 4—Other material and supplies.

ELECTRIC POWER PRODUCERS

Class 1—Generating station material.

Class 2—Switching and substation material, such as power transformers, other station equipment, parts, and material, and other material and supplies.

Class 3—Wire, cable, and bus bar, such as bare copper and aluminum, weatherproof copper, underground cable, aluminum and copper shapes.

Class 4—Wood poles and cross arms.

Class 5—Meters.

Class 6—Transmission and distribution material (excluding Classes 2, 3, 4 and 5 above), such as iron and steel poles, towers and parts, line hardware, distribution transformers, meter and transformer parts, and other line material and equipment (including insulators, lightning arrestors, etc.).

Class 7—Other material and supplies.

CENTRAL STEAM HEATING PRODUCERS

Class 1—Production plant material.

Class 2—Transmission and distribution material.

Class 3—Other material and supplies.

[Schedule B deleted Aug. 31, 1944.]

SCHEDULE C

LIMITS ON PRACTICAL WORKING MINIMUM INVENTORY²

For purposes of paragraph (e) (2) a practical working minimum inventory (except for producers having a total inventory of \$25,000 or less, who are exempted by paragraph (f)) may in no case exceed the following dollar values:

WATER PRODUCERS²

Class 1—The dollar value of items of material of this class in inventory on the most recent date in 1940 on which the producer's inventory was taken, increased proportionately to the increase in system output in the twelve-month period preceding the current quarter over output in 1940.

Class 2—Four-thirds of the dollar value of authorized withdrawals in this class made during the last nine months of 1942 for use as "maintenance, repair, and operating supplies", as those terms were defined in Utilities Order U-1 as amended September 24, 1943.¹

Class 3—Sixty per cent of the dollar value of material in this class in inventory on the most recent date in 1940 on which the producer's inventory was taken.

Class 4—Two-thirds of the dollar value of authorized withdrawals in this class made during the last nine months of 1942 for use as "maintenance, repair, and operating supplies", as those terms were defined in Utilities Order U-1 as amended September 24, 1943.¹

¹These definitions are reprinted here for convenience in reference; please note that they differ from definitions used in the current order.

"Maintenance" means the upkeep of a producer's property and equipment in sound working condition.

"Repair" means the restoration of a producer's property and equipment to sound working condition after wear and tear, damage, destruction of parts, or the like have made such property or equipment unfit or unsafe for service.

"Operating supplies" means (1) material which is essential to the operation of any of the industries or services specified above and which is generally carried in a producer's inventory and charged to operating expense accounts, and (2) material for an addition to or an expansion of property or equipment (including a minor extension of lines), provided that such addition or expansion shall not include any work order, job, or project in which the cost of material shall exceed \$1500 in the case of underground construction and \$500 in the case of other construction, and provided that no single construction project shall be subdivided into parts in order to come below these limits.

²See Schedule A for complete identification of classes.

GAS PRODUCERS²

Class 1—The dollar value of items of material of this class in inventory on the most recent date in 1940 on which the producer's inventory was taken, increased proportionately to the increase in system output in the twelve-month period preceding the current quarter over output in 1940.

Classes 2 and 3—Four-thirds of the dollar value of withdrawals in this class made during the last nine months of 1942 for use as "maintenance, repair, and operating supplies", as those terms were defined in Utilities Order U-1 as amended September 24, 1943.¹

Class 4—Two-thirds of the dollar value of withdrawals in this class made during the last nine months of 1942 for use as "maintenance, repair, and operating supplies", as those terms were defined in Utilities Order U-1 as amended September 24, 1943.¹

ELECTRIC POWER PRODUCERS²

Class 1—The dollar value of items of material of this class in inventory on the most recent date in 1940 on which the producer's inventory was taken, increased proportionately to the increase in system output in the twelve-month period preceding the current quarter over output in 1940.

Class 2—The dollar value of items of material of this class in inventory on the most recent date in 1940 on which the producer's inventory was taken.

Classes 3 and 4—Four-thirds of the dollar value of withdrawals in this class made during the last nine months of 1942 for use as "maintenance, repair, and operating supplies", as those terms were defined in Utilities Order U-1 as amended September 24, 1943.¹

Class 5—Fifty meters at each operating headquarters plus one and three-quarters percent of the meters installed in plant on the first day of the preceding calendar quarter.

Class 6—Four-thirds of the dollar value of withdrawals in this class made during the last nine months of 1942 for use as "maintenance, repair, and operating supplies", as those terms were defined in Utilities Order U-1 as amended September 24, 1943.¹

Class 7—Two-thirds of the dollar value of withdrawals in this class made during the last nine months of 1942 for use as "maintenance, repair, and operating supplies", as those terms were defined in Utilities Order U-1 as amended September 24, 1943.¹

CENTRAL STEAM HEATING PRODUCERS²

Class 1—The dollar value of items of material of this class in inventory on the most recent date in 1940 on which the producer's inventory was taken, increased proportionately to the increase in system output in the twelve-month period preceding the current quarter over output in 1940.

Class 2—Four-thirds of the dollar value of withdrawals in this class made during the last nine months of 1942 for use as "maintenance, repair, and operating supplies", as those terms were defined in Utilities Order U-1 as amended September 24, 1943.¹

Class 3—Two-thirds of the dollar value of withdrawals in this class made during the last nine months of 1942 for use as "maintenance, repair and operating supplies", as those terms were defined in Utilities Order U-1 as amended September 24, 1943.¹

[Schedule D deleted Aug. 31, 1944.]

[F. R. Doc. 44-17482; Filed, Nov. 15, 1944; 11:23 a. m.]

Footnotes on page 13713.

PART 4500—POWER, WATER, GAS, AND CENTRAL STEAM HEAT

[Utilities Order U-1, Direction 1, as Amended Nov. 15, 1944]

DELIVERY RESTRICTIONS ON DISTRIBUTION TRANSFORMERS

The following amended direction is issued pursuant to Utilities Order U-1:

(a) No electric power producer, and no person for an electric power producer's account, shall place a purchase order with any supplier other than another producer for the delivery of new distribution transformers, 5 KVA and smaller, except as provided in paragraphs (b) and (d) of this direction.

(b) After August 15, 1944, a producer's purchase order for the delivery of new distribution transformers, 5 KVA and smaller, may be placed only if the producer's purchase order is accompanied by a completed Form WPB-3782 approved by the War Production Board. Applications on Form WPB-3782 should be filed with the Office of War Utilities, War Production Board, Washington 25, D. C.

(c) [Deleted Nov. 15, 1944.]

(d) In an emergency, an electric power producer may receive authority to place a purchase order for the delivery of new distribution transformers, 5 KVA and smaller, by telegraph from the Office of War Utilities, War Production Board, Washington 25, D. C. In each such case the producer shall attach to his purchase order the approval telegram.

Issued this 15th day of November 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-17483; Filed, Nov. 15, 1944; 11:23 a. m.]

PART 4500—POWER, WATER, GAS, AND CENTRAL STEAM HEAT

[Supplementary Utilities Order U-1-d, as Amended Nov. 15, 1944]

§ 4500.5 *Supplementary Utilities Order U-1-d—(a) Definitions.* For the purpose of this supplementary order:

(1) "Domestic consumer" means a prospective consumer who is requesting an extension of service to a building used exclusively for dwelling purposes.

(2) "Industrial consumer" means a prospective consumer who is requesting an extension of service to a building used in whole or in part for the manufacture, processing or assembly of products or materials.

(3) "Commercial consumer" means a prospective consumer not classified in this order as "domestic" or "industrial."

(b) *Permission to build certain extensions.* In accordance with the provisions of paragraph (i) of Utilities Order U-1, extensions of electric, water, gas, and central steam heating facilities may be made or connected by producers to serve premises which are being built or remodeled under authority of a specific direc-

tion, order, certificate or other authorization for construction or remodeling issued by the War Production Board (but not to serve farm buildings except farm dwellings), when the conditions of the applicable subparagraph (1), (2), or (3) below, in addition to the conditions of subparagraph (4) below, are satisfied.

(1) *Domestic consumers.* In the case of electric extensions, the extension, including any part built by or for the consumer, must be built within the limits established by the Housing Utilities Standards issued by the War Production Board.

(2) *Industrial consumers.* The extension must be designed to use the smallest sizes and quantities of equipment, conductor and pipe required to furnish service at minimum standards.

(3) *Commercial consumers.* In the case of electric extensions, the length of the extension including any part built by or for the consumer does not exceed 1,000 feet.

(4) *All consumers.* (i) The cost of material for any continuous extension built in any calendar quarter, excluding the cost of material for any part built by or for the consumer, does not exceed \$10,000.

(ii) The extension does not duplicate an adequate service of the same type already installed or constitute a standby service.

(iii) The producer has completed Form WPB-3348 for filing with the builder's application under L-41.

(c) *Other orders.* This order does not constitute a release, in the case of gas producers or consumers, from the restrictions of Utilities Order U-7 or Limitation Order L-174.

Issued this 15th day of November 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-17484; Filed, Nov. 15, 1944; 11:23 a. m.]

PART 4500—POWER, WATER, GAS, AND CENTRAL STEAM HEAT

[Supplementary Utilities Order U-1-f, as Amended Nov. 15, 1944]

§ 4500.7 *Supplementary Utilities Order U-1-f—(a) Definitions.* For the purposes of this supplementary order:

(1) "Domestic consumer" means a prospective consumer who is requesting an extension of service to a building used exclusively for dwelling purposes.

(2) "Individual consumer" means a prospective consumer who is requesting an extension of service to a building used in whole or in part for the manufacture, processing or assembly of products or materials.

(3) "Commercial consumer" means a prospective consumer not classified in this order as "domestic" or "industrial."

(b) *Permission to build certain extensions* In accordance with the provisions of paragraph (i) of Utilities Order U-1, extensions of electric, water, gas, and central steam heating facilities may be made or connected by producers when all of the following conditions are satisfied:

(1) If construction or remodeling by the consumer is involved, no specific direction, order, certificate or other authorization for construction has been issued by the War Production Board to authorize such construction or remodeling. If such authorization has been issued, the construction of utility facilities, except to farm buildings other than farm dwellings, is governed by Supplementary Utilities Order U-1-d.

(2) Electric extensions, including any part built by or for the consumer, can be built within the limits of the Electric Utilities Construction Standards, shown in Schedule I of this order.

(3) The cost of material for any continuous extension built in any calendar quarter, excluding the cost of material for any part built by or for the consumer, does not exceed \$10,000.

(4) The extension does not duplicate an adequate service of the same type already installed or constitute a stand-by service.

(c) *Other orders.* This order does not constitute a release, in the case of gas producers or consumers, from the restrictions of Utilities Order U-7 or Limitation Order L-174.

(d) *Effect of amendment of this order on construction started.* Construction of extensions permitted by Supplementary Utilities Order U-1-f prior to this amendment may be completed if construction other than right of way clearing has started prior to the date of this amendment.

Issued this 15th day of November 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

SCHEDULE I—ELECTRIC UTILITIES CONSTRUCTION STANDARDS

The material used in extensions permitted by Supplementary Utilities Order U-1-f must conform to the limitations set out in this Schedule I and must not exceed, in dollar value, the limits of paragraph (b) (3).

A. PERMITTED TYPES OF CONDUCTORS AND PIPE

NOTE: Section A deleted Nov. 15, 1944.

B. PERMITTED QUANTITIES OF CONDUCTOR AND TRANSFORMERS

I. Domestic extensions, including primary, secondary, and service drop. a. In cases where the consumer has in his possession an electric range, refrigerator, or washing machine, one transformer and not more than 1,000 feet of extension per consumer; in other cases than described above, not more than 1,000 feet of extension per customer, but no transformer except to replace transformers in service.

b. [Deleted Nov. 15, 1944.]

c. [Deleted Aug. 31, 1944.]

No. 229—3

II. Industrial and commercial extensions.

a. In the case of facilities to serve an industrial or commercial consumer who is (1) engaged, as his principal activity, in the manufacture of a product or in the conduct of a business or activity to which the Preference Rating AA-1 or AA-2 has been assigned for the acquisition of MRO material by List A of CMP Regulation 5; or (2) an electric, water, gas, steam heat, telephone or telegraph utility; or (3) engaged in the petroleum industry, except in retail marketing, as those terms are defined in Preference Rating Order P-98-b; or (4) engaged in the business of mining, or of burning refractories; or (5) engaged in the business of radio communication or radio broadcasting; or (6) a hospital, the smallest sizes and quantities of equipment and conductor required to furnish service at minimum standards.

b. In the case of facilities to serve an industrial or commercial consumer who is not engaged in a business or activity listed above, not more than 1,000 feet of extension per consumer. This length shall include primary, secondary and service drop and no new transformer installations may be made except to replace transformers installed and in service.

C. PERMITTED QUANTITIES OF NON-METALLIC PIPE

NOTE: Deleted April 6, 1944.

[F. R. Doc. 44-17485; Filed, Nov. 15, 1944; 11:24 a. m.]

Chapter XI—Office of Price Administration

PART 1300—PROCEDURE

[Rev. Procedural Reg. 1, Amdt. 10]

PROCEDURE FOR THE ISSUANCE, ADJUSTMENT, AMENDMENT, PROTEST, AND INTERPRETATION OF MAXIMUM PRICE REGULATIONS

The first sentence of section 6 of Rev. Procedural Regulation 1 is amended to read as follows:

SEC. 6. *Statement of considerations.* Every maximum price regulation, except a temporary maximum price regulation, shall be accompanied by a statement of the considerations involved in its issuance.

This amendment shall become effective November 15, 1944.

Issued this 15th day of November 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-17495; Filed, Nov. 15, 1944; 11:42 a. m.]

PART 1306—IRON AND STEEL

[RPMR 230, Amdt. 2]

REUSABLE IRON AND STEEL PIPE AND USED STRUCTURAL PIPE

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been

¹ 9 F.R. 10476.

² 7 F.R. 7731, 7914, 8935; 8 F.R. 1821, 3520, 12014.

filed with the Division of the Federal Register.*

Revised Maximum Price Regulation No. 230 is amended in the following respects:

1. Paragraph (a) of § 1306.464, Appendix A, is amended to read as follows:

(a) *Shipping point zone.* The zone in which a shipping point is located is determined by ascertaining the railroad charge in cents per hundred pounds for transporting a minimum carload of iron and steel pipe from Lorain, Ohio to the rail siding nearest the shipping point and then by selecting the zone applicable to such charge in accordance with the following:

Cents per hundred pounds:	Zone
Less than 25.....	1
25 and over but less than 50.....	2
50 and over but less than 75.....	3
75 and over but less than 100.....	4
100 and over but less than 125.....	5
125 and over but less than 150.....	6
150 and over.....	7

The above shall not apply where the shipping point is located in the States of Florida, Georgia, or New Mexico; the States of Florida and Georgia are deemed to be in Zone 5 and the State of New Mexico is deemed to be in Zone 7.

2. Paragraph (b) (1) of § 1306.464, Appendix A, is amended to read as follows:

(1) The maximum shipping point price shall be the applicable price for the same type, size and weight listed in Table I for the zone in which the shipping point is located. In the event of an odd size or weight the formula at the foot of Table I shall be used in computing the maximum shipping point price. *Provided, That:*

(i) *Threaded only.* The maximum shipping point price for pipe which is threaded only shall be ninety-five percent (95%) of the applicable price when threaded and coupled;

(ii) *Unlisted prices.* The maximum shipping point price of any size or weight of threaded and coupled pipe not listed in Table I of this § 1306.464, shall be the applicable plain end price plus the addition of 10% thereof;

(iii) *Galvanized pipe.* Galvanized pipe within the meaning of Table I must have a clean, unbroken galvanized coating both inside and out.

3. Paragraph (c) (2) (i) of § 1306.464, Appendix A, is amended to read as follows:

(i) *Threaded and coupled.* The maximum shipping point price for threaded and coupled steel casing or tubing shall be, in the case of J-55, one-hundred and ten percent (110%) and, in the case of N-80 (but not steel drill pipe), one-hundred and twenty-two percent (122%) of the applicable price for steel casing or tubing identical in size and weight to the J-55 or N-80 being sold or offered for sale listed in Table II* for the zone

*Copies may be obtained from the Office of Price Administration.

*Table II is set forth at the end of subparagraph (3).

in which the shipping point is located. In the event of an odd size or weight, the formula at the foot of Table II shall be used in computing the maximum shipping point price for threaded and coupled steel casing or tubing against which the premiums contained in this paragraph shall apply.

This amendment shall become effective November 20, 1944.

Issued this 15th day of November 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-17493; Filed, Nov. 15, 1944;
11:42 a. m.]

PART 1347—PAPER, PAPER PRODUCTS, RAW MATERIALS FOR PAPER AND PAPER PRODUCTS, PRINTING AND PUBLISHING

[MPR 437, Amdt. 2]

PULPWOOD PRODUCED IN EASTERN VIRGINIA AND IN COUNTIES OF ROCKINGHAM, STOKES AND CASWELL IN NORTH CAROLINA

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation 437 is amended in the following respects:

1. In Appendix A (a), subparagraph (4) is amended to read as follows:

(4) *Loading allowance.* If pulpwood is banked by the seller at the buyer's request at a rail siding or barge landing, or within one mile thereof by road, and is later loaded at the seller's expense on the railway car or barge, the appropriate maximum price may be increased by an amount not in excess of 80¢ per cord in the case of pulpwood shipped by rail, and \$1.00 in the case of pulpwood shipped by barge.

2. In Appendix A (c) (2), subdivisions (iii) and (v) are amended to read as follows:

(iii) The pulpwood sold by the dealer to the consumer or sold by the trader to his vendee has been completely prepared for delivery by a person other than the dealer or trader;

(v) The dealer's or trader's commission in such transactions is shown as a separate item on the settlement sheet. This settlement sheet must contain a statement that the dealer or trader has had no part in the preparation of the pulpwood, and that the charges are not in excess of those provided in Maximum Price Regulation 437;

This amendment shall become effective 20th day of November 1944.

Issued this 15th day of November 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-17491; Filed, Nov. 15, 1944;
11:45 a. m.]

PART 1366—USED CONSUMER DURABLE GOODS

[MPR 429, Amdt. 5]

CERTAIN USED CONSUMER DURABLE GOODS

A statement of the considerations involved in the issuance of this amendment,

*Copies may be obtained from the Office of Price Administration.
*8 F.R. 9993.

issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Paragraph (a) (3) of section 4 of Maximum Price Regulation No. 429 is hereby revoked.

This amendment shall become effective on the 20th day of November 1944.

Issued this 15th day of November 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-17494; Filed, Nov. 15, 1944;
11:42 a. m.]

Manufacturer	Brand	Article	Model	Retail ceiling price
Associated Pen Co.		Fountain pen	PLS-4	\$0.81
		do	440	.73
Frank Feldman	Imperial	do	200	.83
	do	do	27	1.83
	do	Desk fountain pen	100 S	.77
	do	do	100 G	1.81
	do	Pen-pencil set	37	2.60
Southern Pen Co.		Fountain pen	14	.56

2. Section 23 is amended by changing the listing of fountain pens and mechanical pencils produced by Salz Brothers, Inc., to read as follows:

Manufacturer	Brand	Article	Model	Retail ceiling price
Salz Brothers, Inc.		Fountain pen	838	\$1.00
		Mechanical pencil	77P	.50
		do	701	.58

This amendment shall become effective on the 20th day of November 1944.

Issued this 15th day of November 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-17492; Filed, Nov. 15, 1944;
11:45 a. m.]

PART 1499—COMMODITIES AND SERVICES

[Rev. SR 14 to GMPR, Amdt. 188]

WOOD ROSIN SIZE

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 4.27 of Revised Supplementary Regulation No. 14 is amended as follows:

1. The last sentence of paragraph (a) (1) (ii) (b) (1) is amended to read as follows:

The cost per 100 pounds of such grade of wood rosin the manufacturer himself produced shall be the lowest price per 100 pounds f. o. b. plant he charged for such grade of wood rosin during the second calendar month preceding date of mailing the report required by (c) below (not in excess of his maximum price) less his selling and administrative expense per 100 pounds during the first quarter of 1944.

2. Paragraph (a) (1) (ii) (c) (1) (iv) (A) is amended to read as follows:

(A) Lowest price per 100 pounds f. o. b. plant charged by manufacturer during

PART 1373—PERSONAL AND HOUSEHOLD ACCESSORIES

[MPR 564, Amdt. 1]

FOUNTAIN PENS AND MECHANICAL PENCILS

A statement of the considerations involved in the issuance of this amendment is issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Maximum Price Regulation No. 564 is amended in the following respects:

1. Section 23, Table of retail ceiling prices, is amended by adding retail ceiling prices for new model fountain pens and mechanical pencils as set forth below:

Manufacturer	Brand	Article	Model	Retail ceiling price
Associated Pen Co.		Fountain pen	PLS-4	\$0.81
		do	440	.73
Frank Feldman	Imperial	do	200	.83
	do	do	27	1.83
	do	Desk fountain pen	100 S	.77
	do	do	100 G	1.81
	do	Pen-pencil set	37	2.60
Southern Pen Co.		Fountain pen	14	.56

2. Section 23 is amended by changing the listing of fountain pens and mechanical pencils produced by Salz Brothers, Inc., to read as follows:

Manufacturer	Brand	Article	Model	Retail ceiling price
Salz Brothers, Inc.		Fountain pen	838	\$1.00
		Mechanical pencil	77P	.50
		do	701	.58

second calendar month preceding date of mailing the report required by this subdivision (c).

This amendment shall become effective November 20, 1944.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 15th day of November 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-17490; Filed, Nov. 15, 1944;
11:45 a. m.]

PART 1499—COMMODITIES AND SERVICES

[RMPR 165, 2d Rev. Supp. Service Reg. 19]

OIL BURNER SERVICES AND STOKER SERVICES

Revised Supplementary Service Regulation No. 19 is redesignated Second Revised Supplementary Service Regulation No. 19 and is revised and amended to read as follows:

A statement of the considerations involved in the issuance of this Second Revised Supplementary Service Regulation No. 19, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

§ 1499.671 *Modification of maximum hourly or per-call prices established by Revised Maximum Price Regulation No. 165 for the maintenance and repair of oil burners burning No. 5 oil or lighter*

and stokers with a capacity of under 1200 pounds of coal per hour on either an hourly-rate basis or a per-call basis.

(a) This revised supplementary service regulation sets forth the maximum prices or charges any person may charge on a per-hour or per-call basis for the maintenance or repair of:

Oil burners burning No. 5 oil or lighter; and

Stokers with a capacity under 1200 pounds of coal per hour.

(b) *Maximum prices.* (1) Except as otherwise provided in this paragraph (b), the following are the maximum hourly rates, charges or prices which may be charged for the above-described services by a service supplier:

TABLE OF MAXIMUM HOURLY RATES
[For each mechanic or service man]

	First hour	Second and succeeding hours
In cities of 500,000 population or more	\$2.50	\$1.75
In cities of 100,000 to 500,000 population	2.00	1.50
In cities of less than 100,000 population	1.50	1.25

NOTE 1: Population figures shall be based upon the 1940 census as determined by the Bureau of the Census.

NOTE 2: The above rates are inclusive of mileage and all other charges. There may not be added any amounts representing mileage charges or for time spent going to and from the job, or for any other reason.

NOTE 3: A charge for the full hour may be made for any part of the first hour. For the second and succeeding hours the charge for less than one hour must be computed on the basis of 15 minute periods, rounded out to the nearest 5 cents.

(2) A supplier operating on an hourly-rate basis whose maximum prices under Revised Maximum Price Regulation No. 165 are higher than those specified in sub-paragraph (1) may not charge those higher maximum prices until he has filed a statement of such prices in accordance with the requirements of section 14 (b) of that regulation with his local War Price and Rationing Board setting forth his maximum prices so established, including provisions relative to mileage charges, and the method of computing such maximum prices, whether on the basis of actual time spent on the job or on the basis of time spent going to and from the job. If the required statement is not so filed, the maximum prices for such supplier shall not exceed the prices specified in subparagraph (1).

(3) A supplier operating on a per-call basis, whose maximum prices per-call under Revised Maximum Price Regulation No. 165 are higher than the hourly rates for the first hour specified in subparagraph (1) for his locality may either:

(i) Retain his present rate provided he files a statement of his per-call rate

under Revised Maximum Price Regulation No. 165 in accordance with the requirements of section 14 (b) of that regulation with the local War Price and Rationing Board or,

(ii) Convert to an hourly-rate basis and charge on an hourly-rate basis as much as but no more than the rates set forth in sub-paragraph (1).

For the purpose of this supplementary service regulation the term "per-call" shall mean a service call for which a specific charge is made regardless of the length of time consumed in furnishing the required service.

(4) (i) Suppliers operating on an hourly-rate basis whose present rates are lower than those established herein, may charge as much as but not more than the rates set forth in sub-paragraph (1).

(ii) Suppliers operating on a per-call basis whose maximum prices per-call under Revised Maximum Price Regulation No. 165 are lower than the hourly rates for the first hour as specified in sub-paragraph (1) may either:

(a) Retain their present rates or,

(b) Convert to an hourly-rate basis and charge on an hourly-rate basis as much as but no more than the rates set forth in subparagraph (1).

(iii) Suppliers who have heretofore been required to furnish maintenance and repair services covered by this supplementary regulation without charge in conjunction with the sale of oil or coal, may charge as much as but no more than rates specified in subparagraph (1).

(iv) Notwithstanding any other provisions of this supplementary service regulation or any other regulation, the maximum charge for "annual overhauls" on oil burners performed in the Counties of Anne Arundel, Baltimore, Carroll, Harford, or Howard, or in the City of Baltimore, Maryland, shall be \$4.00. Where annual overhauls include an Orsat or other instrument analysis of flue gases or products of combustion, an additional charge of not more than \$1.00 may be made.

"Annual overhaul" refers to the service of vacuum cleaning an oil burner and boiler, cleaning the base of the chimney, and making such minor adjustments and corrections as are immediately necessary to promote efficient operation throughout a heating season.

The above charges for an annual overhaul may be made only once, with respect to an oil burner, during any one year.

Suppliers who have properly filed statements of higher charges in accordance with the requirements of section 14 (b) of Revised Maximum Price Regulation No. 165 for annual overhauls may retain such higher charges.

(c) *Posting of maximum prices.* All oil burner service and stoker service suppliers whose properly established rates are higher than the specific rates set forth in paragraph (b) (1) above, shall post in a conspicuous place in their estab-

lishments a duplicate of the statement filed with their War Price and Rationing Board, showing thereon the date on which the statement was filed.

(d) *Authorization granted to Regional Administrators.* Each Regional Administrator of the Office of Price Administration and such District Directors of the Office of Price Administration as may be designated by the appropriate Regional Administrator are hereby authorized:

(i) To extend the applicable city rate to an area determined by him for the purpose of this Second Revised Supplementary Service Regulation No. 19 to be a part of such city. In such cases, the population of the city, rather than the area, shall determine the applicable city rate; and

(ii) To suspend the effectiveness of this Second Revised Supplementary Service Regulation No. 19 or any part thereof when, in the judgment of the designated officer, such action is deemed necessary and desirable to effectuate the purposes of the Emergency Price Control Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328.

(e) *Suppliers selling oil burner services and stoker services pursuant to a seasonal or yearly contract, and new suppliers.* This Revised Supplementary Service Regulation No. 19 is not applicable to suppliers selling oil burner services or stoker services pursuant to a seasonal or yearly contract, or to maximum prices for sales or offers to sell on an hourly or per-call basis made for the first time subsequent to November 25, 1944. Services sold pursuant to a seasonal or yearly contract are subject to the provisions of Revised Maximum Price Regulation No. 165. New suppliers are required to establish their maximum prices under the applicable provisions of Revised Maximum Price Regulation No. 165.

(f) This Second Revised Supplementary Service Regulation No. 19 does not modify rental rates established under or subject to Revised Maximum Price Regulation No. 165, for oil burners burning No. 5 oil or lighter, or stokers with a capacity under 1200 pounds of coal per hour.

Effective date. This Second Revised Supplementary Service Regulation No. 19 shall become effective this 25th day of November 1944.

NOTE: All reporting and record keeping requirements of this Second Revised Supplementary Service Regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 15th day of November 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-17488; Filed, Nov. 15, 1944; 11:46 a. m.]

*Copies may be obtained from the Office of Price Administration.

PART 1499—COMMODITIES AND SERVICES
[RMFR 165, Supp. Service Reg. 41]

DAYTIME AUTOMOBILE PARKING IN DOWNTOWN LOS ANGELES PARKING AREA

A statement of the considerations involved in the issuance of this supplementary service regulation, issued simultaneously herewith, has been filed with the Division of the Federal Register.* For the reasons set forth in that statement and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, and Executive Orders Nos. 9250, and 9328, Supplementary Service Regulation No. 41 is hereby issued.

§ 1499.2776 *Daytime parking in downtown Los Angeles area*—(a) *Maximum prices for daytime automobile parking in downtown Los Angeles area.* The maximum prices established by Revised Maximum Price Regulation 165 (Services) are modified as hereinafter provided, and sections 4, 5, and 6 of that regulation are hereby expressly superseded insofar as charges made by each parking lot listed in Appendix A of this supplementary service regulation are concerned. The maximum prices for each such parking lot for the service of furnishing daytime automobile parking space in the downtown Los Angeles area shall be the prices shown in Appendix A for each such lot.

(b) *Violations.* No person may charge or offer to charge prices higher than the maximum prices specified in this regulation. Posting of a sign at a parking lot showing a price for the service higher than the maximum price hereunder shall, for example, be conclusively deemed to be an offer to supply the service at the posted price.

(c) *Lower prices.* Prices lower than the maximum prices established by this regulation may be offered, charged, and paid.

(d) *Definitions.* (1) "Downtown Los Angeles area" means all streets in the city of Los Angeles, State of California (including both sides of boundary streets), within the area bounded by Figueroa Street on the west; by Sunset Boulevard, Bellevue Avenue, and Macy Street on the north; by Alameda, Aliso and San Pedro Streets on the east; and by Pico Boulevard on the south.

(2) "Parking lot" means an open, substantially uncovered, space accessible by automobile from the street and used for parking automobiles. It does not include enclosed garages.

(3) "Daytime automobile parking" means parking of an automobile in a

parking lot whenever any part of the time during which the automobile is so parked is between the hours of 7:00 o'clock a. m. and 6:00 o'clock p. m., except Sundays and holidays.

(4) "Parking lot operator" means a person who maintains a parking lot for the parking of automobiles for compensation.

(5) "Service of furnishing daytime parking space" means furnishing space in a parking lot by a parking lot operator for daytime parking.

(e) *Posting requirements.* On and after the effective date of this regulation every parking lot operator shall post on each parking lot that he operates, in a manner so that it will be plainly visible to and readable by persons driving automobiles into the parking lot, a placard setting forth the maximum prices which the operator is permitted to charge for the service of furnishing daytime parking space. Such posted price shall show separately the rate for the first hour, for the second and succeeding hours (if a rate is established therefor), and the all-day rate. The rates so posted must not exceed the maximum prices as of the time the sign is posted. The sign must contain substantially the information in the following examples.

Example 1:	Cents
First hour.....	-----
Second hour.....	-----
All day.....	-----
Example 2:	
First hour.....	-----
Each succeeding hour.....	-----
All day.....	-----
Example 3:	
First hour.....	-----
All day.....	-----

(f) *New locations.* Any parking lot operator in the downtown Los Angeles area who operates a parking lot at a location not included in Appendix A must apply to the Los Angeles District Office of OPA for establishment of his maximum prices. The new location will then be added to the list of parking lots in Appendix A.

APPENDIX A

The maximum prices for each parking lot operator for the service of furnishing daytime automobile parking space in the downtown Los Angeles area at the location indicated shall be as set forth herein. Where an "X" appears in the second column, the all day rate applies for all parking after the first hour. In all cases, the all day charge is the maximum which may be charged for parking during any one day, regardless of the price shown for second and subsequent hours.

(a) *Regular maximum prices applicable except when the parking lot operator elects to increase his charges to the extent permitted in paragraphs (b) and (c).* The following maximum prices shall be applicable for the parking lots indicated and for the time periods specified, except when the parking lot operator elects to increase his charges to the extent permitted in paragraphs (b) and (c):

APPENDIX A—Continued

Location of parking lot	Maximum price (cents)		
	First hour's charge	Second and subsequent hour's charge	All day charge
Aliso: 200 East Aliso.....	10	X	15
Arcadia:			
Northeast Corner Arcadia and Main.....	10	X	15
Southeast Corner Arcadia and Main.....	15	X	25
Southwest Corner Arcadia and Los Angeles.....	10	X	15
Where Arcadia and Main meet (operator—M. G. Park).....	10	X	25
Boyd:			
214 East Boyd.....	10	X	10
216 East Boyd.....	10	X	10
Broadway:			
115 North Broadway.....	15	X	25
117 North Broadway.....	15	X	25
127 North Broadway.....	15	X	25
219 North Broadway.....	15	X	25
225 North Broadway.....	15	X	25
311-13 North Broadway.....	15	X	25
115 South Broadway.....	15	X	25
130 South Broadway.....	15	X	25
218 South Broadway.....	15	X	25
234 South Broadway.....	15	X	25
845 South Broadway.....	15	15	50
913 South Broadway.....	15	X	25
918 South Broadway.....	15	X	25
955 South Broadway.....	15	X	25
959 South Broadway.....	10	X	20
1001 South Broadway.....	15	X	25
1009-11 South Broadway.....	15	X	25
1044 South Broadway.....	10	X	15
1120 South Broadway.....	10	X	15
1126 South Broadway.....	10	X	15
1133 South Broadway.....	10	X	15
1150 South Broadway.....	10	X	10
1201 South Broadway.....	10	X	10
1223 South Broadway.....	10	X	10
Clay:			
215-17 Clay Street.....	10	X	10
225 Clay Street.....	10	X	10
Commercial:			
Southeast Corner Commercial and Los Angeles.....	10	X	15
Southwest Corner Commercial and San Pedro.....	10	X	15
Eighth:			
115 East Eighth Street.....	10	10	25
415 East Eighth Street.....	10	X	15
600 West Eighth Street.....	10	10	25
719 West Eighth Street.....	10	X	15
Northeast Corner Eighth and Maple.....	10	X	15
Northwest Corner Eighth and San Julian.....	10	X	10
Southeast Corner Eighth and Maple.....	10	X	15
Southwest Corner Eighth and Maple.....	10	X	15
Eleventh: 630 West Eleventh Street.....	10	X	15
Fifth:			
Northeast Corner Fifth and Flower.....	10	X	15
Northeast Corner Fifth and San Pedro.....	10	X	15
Northwest Corner Fifth and Flower.....	10	X	15
Southwest Corner Fifth and Figueroa.....	10	X	10
Figueroa:			
220 South Figueroa.....	10	X	15
435 South Figueroa.....	10	X	10
506 South Figueroa.....	10	X	15
540 South Figueroa.....	10	X	15
545 South Figueroa.....	10	X	15
717 South Figueroa.....	10	X	15
724 South Figueroa.....	10	10	25
744 South Figueroa.....	10	X	15
748 South Figueroa.....	10	10	25
812 South Figueroa.....	10	10	25
Northeast Corner Figueroa and Seventh.....	10	10	25
Northwest Corner Figueroa and Third.....	10	X	15
Northwest Corner Figueroa and Wilshire.....	10	10	25
Southwest Corner Figueroa and Fifth.....	10	X	10
Flower:			
324 South Flower.....	10	X	10
400 South Flower.....	10	X	10

*Copies may be obtained from the Office of Price Administration.

19 F.R. 7439, 9107, 9411.

APPENDIX A—Continued

Location of parking lot	Maximum price (cents)		
	First hour's charge	Second and subsequent hour's charge	All day charge
Flower—Continued.			
401 South Flower	10	X	10
427 South Flower	10	X	10
430 South Flower	10	X	15
447 South Flower	10	X	15
527 South Flower	10	X	15
608 South Flower	10	10	25
611 South Flower	10	X	20
725 South Flower	10	10	25
732 South Flower	10	10	25
742 South Flower	10	10	25
832 South Flower	10	X	15
843 South Flower	10	X	15
901 South Flower	10	X	10
910 South Flower	10	X	10
917 South Flower	10	X	10
1101 South Flower (filed price \$1.50 per mo., no daily rate)			
1109-29 South Flower	10	X	15
1145 South Flower	10	X	10
1157 South Flower	10	X	15
Northeast Corner Flower and Fifth-shire	10	10	25
Northwest Corner Flower and Fifth-shire	10	X	15
Southwest Corner Flower and Wilshire	10	X	20
Southeast Corner Flower and Wilshire	10	10	25
Southwest Corner Flower and Wilshire	10	X	20
Fourth:			
216 East Fourth	10	X	15
330 East Fourth	10	X	10
315 West Fourth	15	X	25
416 West Fourth	15	10	35
Northeast Corner Fourth and Grand (includes 509 West Fourth)	10	X	15
Southeast Corner Fourth and Grand	10	X	15
Grand:			
208 South Grand (filed prices \$0.50 per week \$1.25 per month)	10	X	10
345 South Grand	10	X	15
429 South Grand (filed price \$3 per month)	10	X	15
425 South Grand through to Hope (filed price \$3 per month)	10	X	15
549 South Grand	15	15	50
610-40 South Grand	15	15	50
724 South Grand	15	15	50
726 South Grand	15	15	50
742 South Grand	10	10	20
819 South Grand	15	X	20
860 South Grand	10	X	20
902 South Grand	10	X	15
932 South Grand	10	X	15
933 South Grand	10	X	15
1020 South Grand	10	X	15
1101 South Grand	10	X	10
1114 South Grand	10	X	10
1209 South Grand	10	X	10
1220 South Grand	10	X	10
Northeast Corner Grand and Fourth (includes 509 West Fourth)	10	X	15
Southeast Corner Grand and Fourth	10	X	15
Southwest Corner Grand and Wilshire	15	15	50
Hill:			
104 North Hill	10	X	15
304 North Hill	10	X	15
305 North Hill	10	X	15
101 South Hill	10	X	15
116 South Hill	10	X	15
132 South Hill	10	X	15
145 South Hill	10	X	15
157 South Hill	10	X	15
229 South Hill	10	X	20
235-47 South Hill	15	X	20
252 South Hill	15	X	25
309 South Hill	15	X	25
319 South Hill	15	X	25
402 South Hill	20	15	\$1.00
409 South Hill	15	15	50
443 South Hill	20	15	\$1.00
626 South Hill	20	15	1.00
619 South Hill	20	15	1.00
630 South Hill	20	15	1.00
717 South Hill	20	15	1.00
731 South Hill	15	15	1.00
819 South Hill	10	10	35
819 South Hill Operate as separate lots, all three operated by System.	15	15	50
819 South Hill	15	15	50
844 South Hill	10	X	25
918 South Hill	10	X	25
923 South Hill	10	X	25

APPENDIX A—Continued

Location of parking lot	Maximum price (cents)		
	First hour's charge	Second and subsequent hour's charge	All day charge
Hill—Continued.			
927 South Hill	10	X	15
929 South Hill	10	X	15
948 South Hill	10	X	15
1017-25 South Hill	10	X	10
1026 South Hill	10	X	15
1045 South Hill	10	X	10
1059 South Hill	10	X	15
1102 South Hill	10	X	15
1115 South Hill	10	X	10
1129 South Hill	10	X	10
1138 South Hill	10	X	15
1139 South Hill	10	X	10
1216 South Hill	10	X	10
1217 South Hill	10	X	10
1231 South Hill	10	X	10
Hope:			
426 South Hope	10	X	15
557 South Hope	15	10	25
607 South Hope	15	10	25
640 South Hope	15	10	25
641 South Hope	10	X	25
749 South Hope	10	X	15
812 South Hope	10	X	15
820 South Hope	10	X	15
831 South Hope	10	X	15
834 South Hope	10	X	15
850 South Hope	10	X	10
859 South Hope	10	X	15
909 South Hope	10	X	10
939 South Hope	10	X	10
1011-19 South Hope	10	X	10
Southwest Corner Hope and Wilshire	15	10	25
Justica: Southwest Corner Justica and Sunset	15	X	20
Los Angeles:			
100 North Los Angeles	10	X	15
210 North Los Angeles	10	X	15
410 North Los Angeles	10	X	15
420 North Los Angeles	10	X	15
101 South Los Angeles through to Main	15	10	25
127 South Los Angeles	10	X	15
129 South Los Angeles	10	X	15
160 South Los Angeles	10	X	15
248 South Los Angeles	10	X	15
307 South Los Angeles	10	X	15
519-31 South Los Angeles	15	X	25
520 South Los Angeles	15	X	25
618 South Los Angeles	15	X	25
629 South Los Angeles	15	X	25
635 South Los Angeles	10	X	25
745 South Los Angeles	10	X	25
800 South Los Angeles	10	10	25
846 South Los Angeles	10	10	25
910 South Los Angeles	10	X	15
919 South Los Angeles	10	X	15
934 South Los Angeles	15	X	15
1001 South Los Angeles	10	X	15
1019 South Los Angeles	10	X	15
1150 South Los Angeles	10	X	10
1201 South Los Angeles	10	X	10
Northwest Corner Los Angeles and Seventh	10	10	25
Northwest Corner Los Angeles and Winston	15	X	25
Southeast Corner Los Angeles and Commercial	10	X	15
Southwest Corner Los Angeles and Arcadia	10	X	15
Main:			
114 North Main	10	X	20
115 North Main	15	X	25
304 North Main (Los Angeles Street entrance)	15	10	25
135 South Main	10	10	20
240 South Main	15	X	25
345 South Main	15	10	25
425 South Main	15	10	25
623 South Main	10	10	35
633 South Main	10	10	35
648 South Main	10	10	35
726 South Main	10	10	25
742 South Main	10	10	25
804 South Main	10	10	25
828 South Main	10	10	25
913 South Main	10	10	25
959 South Main	10	X	15
1000 South Main	10	X	15
1028-34 South Main	10	X	15
1035 South Main	10	X	15
1114 South Main	10	X	10
1200 South Main	10	X	10
Northeast Corner Main and Arcadia	10	X	15
Southeast Corner Main and Arcadia	15	X	25

APPENDIX A—Continued

Location of parking lot	Maximum price (cents)		
	First hour's charge	Second and subsequent hour's charge	All day charge
Main—Continued.			
Southeast Corner Main and Second	15	X	25
Where Main and Arcadia meet (operator—M. G. Park)	10	X	25
Where Main heads into Arcadia (operator—J. H. Park)	15	X	25
Maple:			
631 South Maple	10	X	15
637 South Maple	10	X	15
642 South Maple	10	X	15
645 South Maple	10	X	15
711 South Maple	10	X	15
719 South Maple	10	X	15
722-40 South Maple	10	X	15
739 South Maple	10	X	15
755 South Maple	10	X	15
759 South Maple	10	X	15
826 South Maple	10	X	10
1143 South Maple	10	X	10
1200 South Maple (includes 430 E. 12th)	10	X	15
1201 South Maple	10	X	15
1207 South Maple	10	X	15
1223 South Maple	10	X	15
1301 South Maple	10	X	15
Northeast Corner Maple and Eighth	10	X	15
Northeast Corner Maple and Seventh	10	X	15
Northeast Corner Maple and Sixth	10	X	15
Southeast Corner Maple and Eighth	10	X	15
Southwest Corner Maple and Eighth	10	X	15
Southwest Corner Maple and Sixth	10	X	15
Myrtle: 1301 West Myrtle	10	X	10
Ninth: 521 West Ninth Street	10	X	15
Olive:			
313 South Olive	10	X	10
335 South Olive	10	X	15
338 South Olive	10	X	15
419 South Olive	15	X	25
440 South Olive	15	15	35
447 South Olive	15	15	35
625 South Olive	15	15	75
630 South Olive	15	15	75
638 South Olive	15	15	75
717 South Olive	15	15	50
727 South Olive	15	15	50
739 South Olive	15	15	50
811 South Olive	15	15	50
813 South Olive	15	15	50
835 South Olive	15	10	25
927 South Olive	10	X	15
941 South Olive	10	X	15
960 South Olive	10	X	15
1020 South Olive	10	X	15
Olympic:			
599 West Olympic (\$2 per month)	10	X	10
626 West Olympic	10	X	10
716 West Olympic	10	X	15
Pico:			
422 East Pico	10	X	10
544 East Pico	10	X	10
San Julian:			
545 San Julian	10	X	10
600 San Julian	10	X	10
753 San Julian	10	X	10
Northwest Corner San Julian and Eighth	10	X	10
San Pedro:			
327 North San Pedro	10	X	15
400 South San Pedro	10	X	10
531 South San Pedro	10	X	10
600 South San Pedro	10	X	15
601 South San Pedro (\$2 per month, no daily rate listed)	10	X	10
652 South San Pedro	10	X	10
773 South San Pedro	10	X	10
Northeast Corner San Pedro and Fifth	10	X	15
Southwest Corner San Pedro and Commercial	10	X	15
Santee:			
827 South Santee	10	X	15
915 South Santee (\$2 per month, no daily rate listed)	10	X	15
933 South Santee (\$0.75 per week)	10	X	15
947 South Santee	10	X	10
1030-40 South Santee	10	X	10
1100 South Santee	10	X	10
1121 South Santee	10	X	10
1154 South Santee	10	X	10
Second:			
Southeast Corner Second and Main	15	X	25
Southwest Corner Second and Spring	15	X	25
West Second between Grand and Bunkerhill (\$1 per mo., self-service)	7	X	7

APPENDIX A—Continued

Location of parking lot	Maximum price (cents)		
	First hour's charge	Second and subsequent hour's charge	All day charge
Seventh:			
109 East Seventh Street (north side between Main and Los Angeles)....	25	X	25
410 East Seventh Street.....	10	X	10
Northeast Corner Seventh and Figueroa.....	10	10	25
Northeast Corner Seventh and Maple.....	10	X	15
Northwest Corner Seventh and Los Angeles.....	10	10	25
Sixth:			
Northeast Corner Sixth and Maple.....	10	X	15
Southwest Corner Sixth and Maple.....	10	X	15
Spring:			
332 North Spring.....	15	X	25
145 South Spring.....	15	X	25
220 South Spring.....	10	X	25
225 South Spring.....	10	X	25
234 South Spring.....	10	X	25
308 South Spring.....	15	X	25
314 South Spring.....	10	X	25
336 South Spring.....	15	X	25
353 South Spring (includes entrance on 4th).....	15	10	35
420 South Spring.....	15	15	50
432 South Spring.....	15	10	50
450 South Spring.....	15	15	50
520 South Spring.....	15	15	50
530 South Spring.....	15	15	50
633 South Spring.....	15	15	50
710 South Spring (entrance on Spring to Main).....	15	15	50
717 South Spring.....	15	15	50
732 South Spring.....	15	10	50
748 South Spring.....	15	10	50
753 South Spring.....	15	15	50
805 South Spring.....	15	10	50
815 South Spring.....	15	10	50
827 South Spring.....	15	10	50
Northwest Corner Spring and Sunset.....	15	X	15
Southwest Corner Spring and Second.....	15	X	25
Sunset:			
Northwest Corner Sunset and Spring.....	15	X	15
Southwest Corner Sunset and Justice.....	15	X	20
Third:			
317 West Third.....	15	X	25
523 West Third.....	10	X	10
Northwest Corner Third and Figueroa.....	10	X	15
Twelfth:			
322 East Twelfth.....	10	X	10
144 West Twelfth.....	10	X	10
Wall:			
451 South Wall.....	10	X	10
620 South Wall.....	10	X	15
700 South Wall.....	10	X	10
701 South Wall.....	10	X	10
821 South Wall.....	10	X	10
912 South Wall.....	10	X	10
1200 South Wall.....	10	X	10
1201 South Wall.....	10	X	15
1220 South Wall.....	10	X	10
1300 South Wall.....	10	X	10
Werdin Place: 368 Werdin Place.....	10	5	20
Wilshire:			
Northeast Corner Wilshire and Flower.....	10	10	25
Northwest Corner Wilshire and Figueroa.....	10	10	25
Northwest Corner Wilshire and Flower.....	10	X	20
Southeast Corner Wilshire and Flower.....	10	10	25
Southwest Corner Wilshire and Flower.....	10	X	20
Southwest Corner Wilshire and Grand.....	15	15	50
Southwest Corner Wilshire and Hope.....	15	10	25
Winston:			
125 Winston.....	15	X	25
111-15 East Winston.....	15	X	25
327 East Winston.....	10	X	15
Northwest Corner Winston and Los Angeles.....	15	X	25

(b) *Special rates for holiday seasons.* During the period commencing November 20th, and ending December 26th, both inclusive, and during the six days commencing with the Monday before Easter of any year

that this regulation is in effect, any parking lot operator may increase his maximum prices for the service of furnishing daytime automobile parking space at any parking lot located in the downtown Los Angeles area by 5¢ for the first hour and by 10¢ for all day, provided he posts such maximum prices in the manner required by paragraph (e) of this supplementary service regulation, during each day that he charges such higher prices.

(c) *Special rate for tax time.* During the period commencing March 10th, and ending April 20th, both inclusive, of any year that this regulation is in effect, any parking lot operator may increase by 5¢ for the first hour his maximum price for the service of furnishing daytime parking space at any parking lot located in the area bounded by Los Angeles Street on the east, Second Street on the south, Hill Street on the west, and Sunset Boulevard on the north, including both sides of the boundary streets, provided he posts such maximum price in the manner required by paragraph (e) of this supplementary service regulation during each day that he charges such higher price.

This supplementary service regulation shall become effective November 20, 1944.

Issued this 15th day of November 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-17489; Filed, Nov. 15, 1944; 11:43 a. m.]

TITLE 46—SHIPPING

Chapter I—Coast Guard: Inspection and Navigation

PART 31—INSPECTION AND CERTIFICATION
TOWING VESSELS TOWING TANK BARGES ON GULF INTRACOASTAL WATERWAY; WAIVER OF NAVIGATION AND VESSEL INSPECTION LAWS

The Acting Secretary of the Navy having by order dated 1 October, 1942 (7 F.R. 7979) waived compliance with the Navigation and Vessel Inspection Laws administered by the United States Coast Guard, in the case of any vessel engaged in business connected with the conduct of the war, to the extent and in the manner that the Commandant, United States Coast Guard, shall find to be necessary in the conduct of the war, and

It appearing upon investigation that the efficiency of transportation necessary in the conduct of the war is impaired by the application to certain vessels of some of the provisions of 46 CFR 31.4-2;

Now therefore, I hereby find it to be necessary in the conduct of the war that there be waived compliance with 46 CFR 31.4-2, in the case of vessels engaged in business connected with the conduct of the war, while operating on the Gulf Intracoastal Waterway and rivers and inland waters connected therewith lying within the limits of the Seventh and Eighth Naval Districts, to the following extent and subject to the following conditions:

To the extent necessary to permit any towing vessel so engaged and operating to tow tank barges which are not required to be manned, without complying with the requirements of 46 CFR 31.4-2 relating to the carrying of licensed officers or

certificated tankermen in the regular complement of the towing vessel.

The waiver hereby effectuated is subject to the condition that there be on board the towing vessel and available at all times while so towing at least one licensed officer or certificated tankerman.

Dated: November 15, 1944.

R. R. WAESCHE,
Vice Admiral, U. S. C. G.,
Commandant.

[F. R. Doc. 44-17468; Filed, Nov. 15, 1944; 11:02 a. m.]

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter II—Office of Defense Transportation

[Administrative Order ODT 10, Amdt. 1]

PART 503—ADMINISTRATION

REGISTRATION OF FREIGHT AND EMPTY AND PARTIALLY LOADED TRUCKS

Pursuant to Title III of the Second War Powers Act, 1942, Executive Orders 8989, as amended, 9156, 9214, and 9294, and War Production Board Directive 21,

It is hereby ordered, That subparagraph (h) of § 503.270 subparagraphs (i), (j), and (k) of § 503.282, and § 503.283 of Administrative Order ODT 10 (9 F.R. 2795) be, and they hereby are, amended to read as follows:

§ 503.270 *Registration of truck; information required.* Every carrier, in registering an empty or partially loaded truck in compliance with General Order ODT 3, Revised, as amended, or General Order ODT 17, as amended, shall submit to the district office by telephone, telegraph, or in person, the following information:

(h) The license plate number and the State in which the truck is registered.

§ 503.282 *Definitions.* As used in this order, the term:

(i) "District" and "region" mean, respectively, a district and region of the Highway Transport Department of the Office of Defense Transportation as described in Administrative Order ODT 6B, as amended (9 F. R. 12289, 13069).

(j) "District Office" means any district office or field office described in Administrative Order ODT 6B.

(k) "District manager" means the manager of a district or person in charge of a field office.

§ 503.283 *Communications.* Communications concerning this order should refer to "Administrative Order ODT 10," and, unless otherwise directed, should be addressed to the Highway Transport Department, Office of Defense Transportation, Washington 25, D. C.

It is further ordered, That Appendix I of Administrative Order ODT 10 be, and it hereby is, amended by deleting the words "Division of Motor Transport"

wherever they appear in Appendix 1 and by substituting in lieu thereof the words "Highway Transport Department."

It is further ordered, That Rules 1, 2, 3, and 4 in Appendix 2¹ of Administrative Order ODT 10 be, and they hereby are, amended to read as follows:

RULE 1. General application. Schedules 1 to 8, inclusive, are to be used in determining the compensation for the use of a truck leased under the circumstances set forth in paragraph (a) of § 503.278 of Administrative Order ODT 10, when and if the lessor and lessee are unable to agree as to the amount of compensation to be paid the lessor by the lessee for the use of the truck.

RULE 2. Territorial application. Schedule 1 applies to the use of a truck leased under the circumstances set forth in paragraph (a) of § 503.278 of Administrative Order ODT 10, when the use of such truck begins at any point within Region 1 of the Highway Transport Department, Office of Defense Transportation, as described in Appendix 1 to Administrative Order ODT 6B.

Schedules 2, 3, 4, 5, 6, 7, and 8 apply in like manner to the use of a truck leased under the circumstances set forth in paragraph (a) of § 503.278 of Administrative Order ODT 10, when the use of such truck begins at any point within Regions 2, 3, 4, 5, 6, 7, and 8, respectively, of the Highway Transport Department, Office of Defense Transportation, as described in Appendix 1 to Administrative Order ODT 6B, subject to the following exceptions:

(a) When the use of such leased truck begins at any point within Region 5 and terminates, under the provisions of the trip lease, at a point located in Region 7, Schedule 7 shall apply, and when such termination point is located in Region 8, Schedule 8 shall apply;

(b) When the use of such leased truck begins at a point within the Denver, Colorado; Butte, Montana; or Casper, Wyoming districts of Region 7 of the Highway Transport Department, as described in Appendix 3 to Administrative Order ODT 6B, and terminates, under the provisions of the trip lease, at a point located in Region 5, Schedule 5 shall apply, and when such termination point is located in Region 6, Schedule 6 shall apply.

RULE 3. Monetary application of schedules. Schedules 1 to 8, inclusive, specify compensation per mile for indicated weights and distances.

RULE 4. Loading and unloading time. Schedules 1 to 8, inclusive, include compensation for a period not to exceed two hours for waiting and loading at point of origin, and not to exceed two hours for waiting and unloading at point of destination.

It is further ordered, That Appendix 2 of Administrative Order ODT 10 be, and it hereby is, further amended by striking and omitting Schedule No. 6 therefrom and by revising the numbers and titles of schedules numbered 3, 4, 5, 7, 8, and 9 thereof as follows:

Schedule No. 4 is renumbered as Schedule No. 3 and is applicable in Region 3;
Schedule No. 3 is renumbered as Schedule No. 4 and is applicable in Region 4;

Schedule No. 7 is renumbered as Schedule No. 5 and is applicable in Region 5;
Schedule No. 5 is renumbered as Schedule No. 6 and is applicable in Region 6;

Schedule No. 8 is renumbered as Schedule No. 7 and is applicable in Region 7; and

¹Filed but not published in the FEDERAL REGISTER.

Schedule No. 9 is renumbered as Schedule No. 8 and is applicable in Region 8.

This Amendment 1 to Administrative Order ODT 10 shall be retroactive to be effective as of October 15, 1944.

(Title III of the Second War Powers Act, 1942, 56 Stat. 177, 50 U. S. Code, Sec. 633; E.O. 8989, as amended, 6 F.R. 6725, 8 F.R. 14183; E.O. 9156, 7 F.R. 3349; E.O. 9214, 7 F.R. 6097; E.O. 9294, 8 F.R. 221; War Production Board Directive 21, 8 F.R. 5834)

Issued at Washington, D. C., this 14th day of November 1944.

C. D. YOUNG,
Deputy Director,
Office of Defense Transportation.

[F. R. Doc. 44-17464; Filed, Nov. 15, 1944;
10:16 a. m.]

TITLE 50—WILDLIFE

Chapter I—Fish and Wildlife Service

Subchapter Q—Alaska Commercial Fisheries

PART 220—SOUTHEASTERN ALASKA AREA FISHERIES OTHER THAN SALMON

SABLEFISH, CLOSED SEASON

A new section, to be known as § 220.21, is hereby inserted following § 220.20, to read as follows:

§ 220.21 *Closed season, sablefish.* Commercial fishing for sablefish (*Anoplopona fimbria*), is prohibited in the period from December 1 of each year to March 15 of the succeeding year, both dates inclusive.

OSCAR L. CHAPMAN,
Assistant Secretary.

NOVEMBER 9, 1944.

[F. R. Doc. 44-17462; Filed, Nov. 15, 1944;
9:27 a. m.]

Notices

FEDERAL COMMUNICATIONS COMMISSION.

[Docket No. 6190]

NEWARK BROADCASTING CO.

ORDER STATING HEARING ISSUES

In re application of Newark Broadcasting Company, Newark, New Jersey, for construction permit. File No. B1-P-3249.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 9th day of November, 1944;

The Commission having under consideration a petition (filed March 27, 1944) by Newark Broadcasting Company, Newark, New Jersey, for reinstatement and grant of its application for construction permit (File No. B1-P-3249, Docket No. 6190) dismissed without prejudice on August 7, 1943;

It is ordered, That the application be, and the same is hereby, reinstated; and

It is further ordered, That the application as amended by the instant petition to reinstate be, and the same is hereby, designated for hearing upon the following issues:

1. To obtain information concerning the legal, technical, financial and other qualifications of the applicant corporation, and of its officers, directors and stockholders, to construct and operate the proposed station.

2. To determine the areas and populations which may be expected to gain primary service from the operation of the proposed station and what other broadcast services are available to these areas and populations.

3. To obtain information concerning the type and character of the program service which applicant may be expected to render and to determine the extent to which such service is now being rendered by any other station or stations servicing the proposed area in whole or in part.

4. To determine the nature, extent and effect of any interference which would result from the simultaneous operation of the proposed station and (1) from the daytime operation of Station WIP, Philadelphia, Pa., and (2) from the daytime operation of Station WICC, Bridgeport, Conn., as well as the areas and populations affected thereby, and the nature of other broadcast services available to those areas and populations.

5. To obtain information concerning applicant's proposals with respect to employment of personnel to construct and operate the proposed station.

6. To determine whether the antenna, transmitter and other items of equipment proposed to be employed in the construction and operation of the proposed station would be in compliance with the Commission's rules and standards of good engineering practice.

7. To determine whether the operation of the proposed station at the transmitter site specified would be satisfactory and consistent with the Commission's standards of good engineering practice.

8. To determine whether the operation of the proposed station would provide (1) a minimum field intensity of 25 mv/m to the business district of Newark, and (2) primary service to the New York-Northeastern New Jersey Metropolitan District, in accordance with the Commission's rules and standards of good engineering practice.

9. To determine whether the granting of this application would tend toward a fair, efficient, and equitable distribution of radio service as contemplated by section 307 (b) of the Communications Act of 1934, as amended.

10. To determine whether the granting of this application would serve an outstanding public need or national interest within the meaning of the Commission's supplemental statement of policy of January 26, 1944.

11. To determine whether the granting of this application would be otherwise consistent with the policy announced by the Commission in its mem-

orandum opinion of April 27, 1942, as supplemented.

[SEAL] FEDERAL COMMUNICATIONS
COMMISSION.
T. J. SLOWIE,
Secretary.

[F. R. Doc. 44-17476; Filed, Nov. 15, 1944;
11:20 a. m.]

FEDERAL POWER COMMISSION.

[Docket Nos. G-236 and G-536]

WISCONSIN SOUTHERN GAS CO.

NOTICE OF FILING PETITION FOR RECONSIDERATION OR REHEARING OF ORDER

NOVEMBER 14, 1944.

Notice is hereby given that on November 3, 1944, Wisconsin Southern Gas Company (Applicant), a Wisconsin corporation having its principal place of business in Chicago, Illinois, filed with the Federal Power Commission its petition for reconsideration and reversal of the Commission's order of October 3, 1944 in the above dockets or in the alternative a rehearing in connection therewith to permit the submission of additional evidence in further support of its applications.

The Commission by its order of October 3, 1944, dismissed the applications of the Wisconsin Southern Gas Company in the above docketed matters. The application in Docket No. G-236 was for an order pursuant to section 7 of the Natural Gas Act directing Natural Gas Pipeline Company of America to extend its transportation facilities to establish physical connection of such facilities with those of the Applicant at the Illinois-Wisconsin state line near Genoa City, Wisconsin, and to sell natural gas to Applicant for distribution in southeastern Wisconsin. The application in Docket No. G-536 was for a certificate of public convenience and necessity to authorize the construction and operation of a 4½-inch O. D. natural gas transmission pipe line extending northward from the above proposed physical connection at the Illinois-Wisconsin state line near Genoa City, Wisconsin, for a distance of approximately 50,000 feet to Applicant's existing gas facilities at Lake Geneva, Wisconsin.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 44-17474; Filed, Nov. 15, 1944;
11:20 a. m.]

[Docket No. G-592]

KENTUCKY NATURAL GAS CORP.

NOTICE OF APPLICATION

NOVEMBER 14, 1944.

Notice is hereby given that on November 6, 1944, Kentucky Natural Gas Corporation, a Delaware corporation having its principal place of business in Owensboro, Kentucky, filed with the Federal Power Commission its application for a certificate of public convenience and necessity pursuant to section 7 of the

Natural Gas Act, as amended, for authority to sell and deliver natural gas to (1) the Crawford County Gas Company, for resale to the latter's customers in Palestine, Illinois, and (2) the village of Flat Rock, Illinois, for resale by the latter to its consumers in that village.

Any person desiring to be heard or to make any protest with reference to said application should, on or before December 1, 1944, file with the Federal Power Commission, Washington 25, D. C., a petition or protest in accordance with the rules of practice and regulations under the Natural Gas Act.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 44-17475; Filed, Nov. 15, 1944;
11:20 a. m.]

FEDERAL TRADE COMMISSION.

[Docket No. 5171]

WEBSTER UNIVERSITY

ORDER APPOINTING TRIAL EXAMINER AND FIXING TIME AND PLACE FOR TAKING TESTIMONY

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 13th day of November, A. D. 1944.

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission,

It is ordered, That Randolph Preston, a trial examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered, That the taking of testimony in this proceeding begin on Friday, December 15, 1944, at ten o'clock in the forenoon of that day (eastern standard time), Court Room 820A, County Court House, Atlanta, Georgia.

Upon completion of testimony for the Federal Trade Commission, the trial examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondent. The trial examiner will then close the case and make his report upon the facts; conclusions of facts; conclusions of law; and recommendation for appropriate action by the Commission.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 44-17466; Filed, Nov. 15, 1944;
11:08 a. m.]

[Docket No. 5178]

LOGAN GARMENT CO., ET AL.

ORDER APPOINTING TRIAL EXAMINER AND FIXING TIME AND PLACE FOR TAKING TESTIMONY

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 13th day of November, A. D. 1944.

In the matter of Logan Garment Company, a corporation, Dayton Sportswear Mills, a corporation, and J. Roland Clark, Weston R. Clark, Kathryn P. Clark, Asa Penny and Ola Gunckle, individually and as officers and directors of Logan Garment Company and Dayton Sportswear Mills.

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission,

It is ordered, That Randolph Preston, a trial examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered, That the taking of testimony in this proceeding begin on Tuesday, December 12, 1944, at ten o'clock in the forenoon of that day (eastern standard time) in Hearing Room, County Court House, Miami, Florida.

Upon completion of testimony for the Federal Trade Commission, the trial examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondent. The trial examiner will then close the case and make his report upon the facts; conclusions of facts; conclusions of law; and recommendation for appropriate action by the Commission.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 44-17467; Filed, Nov. 15, 1944;
11:08 a. m.]

INTERSTATE COMMERCE COMMISSION.

APPOINTMENT OF PERMIT AGENTS FOR COTTON SHIPMENTS

Pursuant to the authority vested in me by paragraph (d) of Service Order No. 249, the following permit agents are hereby appointed to issue permits pursuant to paragraph (c) of said order;

102. George Adams, Aberdeen, Miss.
103. W. E. Felts, Lexington, Miss.
104. F. B. Buchanan, Como, Miss.
105. J. L. Gates, Laurel, Miss.

A copy of the notice has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of these appointments shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 13th day of November 1944.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 44-17465; Filed, Nov. 15, 1944;
10:44 a. m.]

OFFICE OF PRICE ADMINISTRATION,
[MPR 188, Order 52 Under 2d Rev. Order A-3]
ARCADE MANUFACTURING CO.

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to Second Revised Order A-3 under § 1499.159b of Maximum Price Regulation No. 188, it is ordered:

(a) *Manufacturer's maximum prices.* Arcade Manufacturing Company, 1212 East Shawnee Street, Freeport, Illinois, may sell and deliver the Model No. 9135, Janitor Mopstick which it manufactures at its maximum net price in effect prior to the issuance of this order, plus an adjustment charge of \$1.47 per gross. This adjustment charge may not be made unless separately stated and billed. The adjusted prices are subject to the manufacturer's customary terms, discounts, allowances and other price differentials in effect during March 1942.

(b) *Maximum prices of purchasers for resale.* All purchasers for resale of the article described in paragraph (a) above may add the adjustment charge of \$1.47 per gross to their maximum net prices in effect prior to the issuance of this order, provided the adjustment charge is separately stated and billed.

(c) *Notification.* Every person who makes a sale or delivery at an adjusted price permitted by this order shall furnish the purchaser with an invoice containing the following notice:

NOTICE OF OPA ADJUSTMENT

Order No. 52 under 2d Revised Order A-3 under MPR 188 authorizes all sellers of the articles covered by this invoice to adjust their ceiling prices, in effect prior to November 15, 1944, by adding no more than the exact dollars-and-cents amount of the adjustment charge appearing on this invoice: *Provided*, That amount is separately stated on an invoice which contains this notice.

(d) All requests not specifically granted by this order are hereby denied.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 15th day of November 1944.

Issued this 14th day of November 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-17454; Filed, Nov. 14, 1944;
3:23 p. m.]

[MPR 188, Order 2884]

KELLY MANUFACTURING CO.

APPROVAL OF MAXIMUM PRICES

Correction

The file number for the above document appearing on page 13690 of the issue for Wednesday, November 15, 1944 should be: "F. R. Doc. 44-17431."

No. 229—4

[MPR 136, Order 355]

FARRAR AND TREFTS, INC.

ADJUSTMENT OF MAXIMUM PRICES

Order No. 355 under Maximum Price Regulation 136, as amended. Machines and parts, and machinery services. Farrar and Trefts, Incorporated; Docket No. 6083-136.25a-57.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, and pursuant to § 1390.25a of Maximum Price Regulation 136, as amended, it is ordered:

(a) The maximum prices for the sale of oil country boilers, 150 horsepower, 350 lbs. working pressure, by Farrar and Trefts, Incorporated, Buffalo, New York, shall be determined by deducting from the following list prices all discounts, allowances and other deductions that the manufacturer had in effect to a purchaser of the same class on October 1, 1941.

Item and List Price.

Boiler with fittings and standard stack, \$5,600.

Boiler with fittings and special short stack, \$5,542.

(b) The maximum price of resellers of oil country boilers, 150 horsepower, 350 lbs. working pressure, manufactured by Farrar and Trefts, Incorporated, Buffalo, New York, shall be determined as follows:

The reseller shall add to his net price in effect to purchaser of the same class on October 1, 1941, the dollar-and-cent amount by which his cost has been increased due to the adjustment granted Farrar and Trefts, Incorporated, by this order.

(c) Farrar and Trefts, Incorporated, shall notify those customers who buy oil country boilers, 150 horsepower, 350 lbs. working pressure, for resale of the amount by which this order permits resellers to increase their maximum price.

(d) Within thirty days of the effective date of this order, Farrar and Trefts, Incorporated, shall file with the Office of Price Administration, Washington, D. C., a copy of the written notification required to be given in pursuance of paragraph (c).

(e) All requests not granted herein are denied.

(f) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective November 16, 1944.

Issued this 15th day of November 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-17501; Filed, Nov. 15, 1944;
11:43 a. m.]

[MPR 188, Rev. Order 33 Under 2d Rev. Order A-3]

MILWAUKEE CHAIR CO.

ADJUSTMENT OF MAXIMUM PRICES

Order No. 33 under Second Revised Order A-3 under Maximum Price Regulation No. 188 is revised and amended to read as follows:

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to Second Revised Order A-3 under § 1499.159b of Maximum Price Regulation No. 188, it is ordered:

(a) *Manufacturer's maximum prices.* The Milwaukee Chair Company, 3022 West Center Street, Milwaukee, Wisconsin, may sell and deliver the commercial office furniture of its manufacture at prices no higher than its maximum prices for such sales in effect immediately prior to September 20, 1944, plus an adjustment charge of five percent of each such maximum price. This adjustment charge applies to every item for which a maximum price was established under Maximum Price Regulation No. 188 prior to September 20, 1944 and may be made and collected only if separately stated. The adjusted prices are subject to the manufacturer's customary discounts, allowances, and other price differentials in effect during March 1942 on sales to each class of purchaser.

(b) *Maximum prices of purchasers for resale.* Any purchaser for resale, who handles the commercial office furniture for which the manufacturer's maximum prices have been adjusted as provided in paragraph (a) in the course of its distribution from the manufacturer to the user, may add to his properly established maximum prices, in effect immediately prior to September 20, 1944, the dollar-and-cents amount of the adjustment charge which he is required to pay the manufacturer, provided such amount is separately stated. The adjusted prices are subject to the seller's customary discounts, allowances, and other price differentials in effect during March 1942 on sales to each class of purchaser.

(c) *Notification.* Every person who makes a sale or delivery at an adjusted price permitted by this revised order shall furnish the purchaser with an invoice containing the following notice:

NOTICE OF OPA ADJUSTMENT

Revised Order No. 33 under Second Revised Order A-3 under MPR 188 authorizes all sellers of the articles covered by this invoice to adjust their ceiling prices, in effect prior to September 20, 1944, by adding no more than the exact dollars-and-cents amount of the adjustment charge appearing on this invoice, provided that amount is separately stated on an invoice which contains this notice. No other increase is authorized.

(d) This revised order may be revoked or amended by the Price Administrator at any time.

This revised order shall become effective on the 16th day of November 1944.

Issued this 15th day of November 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-17498; Filed, Nov. 15, 1944;
11:44 a. m.]

[MPR 188, Order 53 Under 2d Rev. Order A-3]

KEWAUNEE MANUFACTURING CO.

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to Second Revised Order A-3 under § 1499.159b of Maximum Price Regulation No. 188, it is ordered:

(a) *Manufacturer's maximum prices.* Kewaunee Manufacturing Company, Adrian, Michigan, may sell and deliver the scientific laboratory furniture and equipment and hospital case and cabinet work of its manufacture at prices no higher than its maximum net prices for such sales in effect immediately prior to the effective date of this order, plus an adjustment charge of 5% of each such maximum price. This adjustment charge applies to every item for which a maximum price was established under Maximum Price Regulation No. 188 prior to the effective date of this order, and may be made and collected only if separately stated. The adjusted prices are subject to the manufacturer's customary terms, allowances, and other price differentials in effect during March 1942 on sales to each class of purchaser.

(b) *Maximum prices of purchasers for resale.* Any purchaser for resale, who handles the scientific laboratory furniture and equipment and hospital case and cabinet work for which the manufacturer's maximum prices have been adjusted as provided in paragraph (a) in the course of its distribution from the manufacturer to the user, may add to his properly established maximum prices, in effect immediately prior to the effective date of this order, the dollar-and-cents amount of the adjustment charge which he is required to pay the manufacturer, provided such amount is separately stated. The adjusted prices are subject to the seller's customary discount, allowances, and other price differentials in effect during March 1942 on sales to each class of purchaser.

(c) *Notification.* Every person who makes a sale or delivery at an adjusted price permitted by this order shall furnish the purchaser with an invoice containing the following notice:

NOTICE OF OPA ADJUSTMENT

Order No. 53 under Second Revised Order A-3 under MPR 188 authorizes all sellers of the articles covered by this invoice to adjust their selling prices, in effect immediately prior to November 16, 1944, by adding no more than the exact dollars-and-cents amount of the adjustment charge appearing on this invoice, provided that amount is separately stated on an invoice which contains this notice. No other increase is authorized.

(d) *Profit and loss statements.* After the effective date of this order, Kewaunee Manufacturing Co. shall submit to the

Office of Price Administration a detailed quarterly profit and loss statement within thirty days after the close of each quarter.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 16th day of November 1944.

Issued this 15th day of November 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-17497; Filed, Nov. 15, 1944;
11:44 a. m.]

[MPR 188, Rev. Order 2455]

HIGH POINT SEATING CO.

APPROVAL OF MAXIMUM PRICES

Order No. 2455 under § 1499.158 of MPR 188 is revised and amended to read as follows:

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of MPR 188, it is ordered:

(a) This revised order establishes maximum prices for sales and deliveries, of eight items of juvenile furniture manufactured by High Point Seating Company, 613 East Greene Street, High Point, North Carolina.

(1) (i) For all sales and deliveries since the effective date of Maximum Price Regulation No. 188, by the manufacturer to retailers, and by the manufacturer to persons, other than retailers, who resell from the manufacturer's stock, the maximum prices are those set forth below:

Article	Model No.	Maximum price to persons, other than retailers, who resell from manufacturer's stock	Maximum price to retailers
Juvenile rocker (cloth cover).....	5	Each \$2.92	Each \$3.65
Juvenile rocker (leatherette cover).....	5	3.24	4.05
Juvenile rocker (cloth cover).....	100	2.36	2.96
Juvenile rocker (leatherette cover).....	100	2.69	3.37
Juvenile wing chair (cloth cover).....	-----	2.50	3.13
Juvenile wing chair (leatherette cover).....	-----	2.82	3.53
Juvenile table.....	100	2.56	3.20
Juvenile toy chest.....	-----	4.73	5.57

These prices are f. o. b. factory, and are subject to a cash discount of two percent for payment within ten days, net thirty days, and are for the articles described in the manufacturer's application dated May 16, 1944.

(ii) For all sales and deliveries by the manufacturer to any other class of purchaser or on other terms and conditions of sale, the maximum prices shall be those determined by applying to the prices specified, the discounts, allowances, and other price differentials made by the manufacturer, during March 1942, on sales of the same type of article to

the same class of purchaser and on the same terms and conditions. If the manufacturer did not make such sales during March 1942 he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method § 1499.158, of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until authorized by the Office of Price Administration.

(2) (i) For all sales and deliveries on and after the effective date of this revised order to retailers by persons other than the manufacturer, who sell from the manufacturer's stock, the maximum prices are those set forth below, f. o. b. factory:

Article	Model No.	Maximum price to retailers
Juvenile rocker (cloth cover).....	5	Each \$3.65
Juvenile rocker (leatherette cover).....	5	4.05
Juvenile rocker (cloth cover).....	100	2.96
Juvenile rocker (leatherette cover).....	100	3.37
Juvenile wing chair (cloth cover).....	-----	3.13
Juvenile wing chair (leatherette cover).....	-----	3.53
Juvenile table.....	100	3.20
Juvenile toy chest.....	-----	5.57

These prices are subject to a cash discount of two percent for payment within ten days, net thirty days, and are for the articles described in the manufacturer's application dated May 16, 1944.

(ii) For all sales and deliveries by persons who sell from the manufacturer's stock, to any other class of purchaser or on other terms and conditions of sale, maximum prices shall be determined under the applicable provisions of the General Maximum Price Regulation.

(b) At the time of or prior to the first invoice to each purchaser, other than a retailer, who resells from the manufacturer's stock, the manufacturer shall notify the purchaser for resale of the maximum prices and conditions established by subparagraph (a) (2) of this revised order for such resales. This notice may be given in any convenient form.

(c) This revised order may be revoked or amended by the Price Administrator at any time.

This revised order shall become effective on the 16th day of November 1944.

Issued this 15th day of November 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-17499; Filed, Nov. 15, 1944;
11:44 a. m.]

[MPR 188, Order 2886]

HUNTINGTON RUBBER CO.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942,

as amended, and Executive Orders Nos. 9250 and 9328, it is ordered:

(a) *Maximum prices for sales of swim-fins.* The maximum prices for all sales and deliveries, at the various levels of distribution, of the Swim-Fins manufactured solely of Buna-S rubber (Grade GRS) by Huntington Rubber Company, 4010 Whiteside Street, Los Angeles, California, shall be no higher than the following:

	Per pair
For sales by Huntington Rubber Company to Owen Churchill, Los Angeles, California.....	\$2.65
For sales by Owen Churchill, to Wilson Sporting Goods Company, Chicago, Illinois.....	4.80
For sales by all persons to jobbers and to the U. S. Government.....	5.15
For sales by all persons to retailers.....	7.10
For all sales at retail.....	9.45

These maximum prices are for the articles described in the manufacturer's application dated June 27, 1944, and are subject to each seller's customary terms, discounts, allowances, and other price differentials to each class of purchaser.

(b) *Notification.* At the time of or prior to the first invoice to each purchaser for resale, the seller shall notify the purchaser for resale of the maximum prices and conditions established by this order for such resales. This notice may be given in any convenient form.

(c) This Order No. 2886 may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 16th day of November 1944.

Issued this 15th day of November 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-17500; Filed, Nov. 15, 1944;
11:43 a. m.]

[Max. Import Price Reg., Order 57]

COOKED LOBSTER FROM MEXICO ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to section 21 of the Maximum Import Price Regulation, it is ordered:

(a) Notwithstanding the provisions of the Maximum Import Price Regulation and Order No. 38 issued thereunder, the maximum prices at which any person may buy, receive, sell or deliver in Region VIII of the Office of Price Administration any cooked lobster imported or to be imported from Mexico shall be such maximum prices as have been or may hereafter be established by order issued by the Regional Administrator for Region VIII. The maximum prices so established shall be in line with maximum prices for domestic Pacific Coast cooked lobster.

(b) Order No. G-103 issued by the Regional Administrator for Region VIII on September 30, 1944, under § 1499.18 (c) of the General Maximum Price Regulation, is hereby ratified, confirmed and

adopted, as of its effective date, October 5, 1944, insofar as it relates to lobster imported or to be imported from Mexico.

(c) Authority is hereby delegated to the Regional Administrator for Region VIII to establish maximum prices at which any person may buy, receive, sell or deliver in that region any cooked lobster imported or to be imported from Mexico. Such authority may be exercised by amendment of the above-mentioned Order No. G-103 by order issued pursuant to this Order No. 57.

(d) The Maximum Import Price Regulation and all other orders issued thereunder remain in full force and effect except to the extent superseded by the above-mentioned Order No. G-103 or by action taken by the Regional Administrator for Region VIII pursuant to this Order No. 57.

(e) Region VIII of the Office of Price Administration means the states of California, Washington, Nevada, Oregon (except Malheur County), Arizona (except those portions of Coconino County and Mohave County lying north of the Colorado River), and the following counties in the State of Idaho: Benewah, Bonner, Boundary, Clearwater, Idaho, Kootenai, Latah, Lewis, Nez Perce, and Shoshone.

(f) This order may be amended or revoked at any time.

This order shall become effective November 16, 1944.

Issued this 15th day of November 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-17496; Filed, Nov. 15, 1944;
11:45 a. m.]

Regional and District Office Orders.

[Region I Order G-22 Under SR 15, MPR 280 and MPR 329, Amdt. 6]

FLUID MILK IN VERMONT

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by § 1499.75 (a) (9) of Supplementary Regulation 15 to the General Maximum Price Regulation, as amended, by § 1351.807 of Maximum Price Regulation 280, and by § 1351.408 of Maximum Price Regulation 329, Order No. G-22 is hereby amended in the following respects:

1. The list of market areas under the heading "Price Zone 2" in paragraph (a) (1) is amended to read as follows:

Price Zone 2 shall include the following market areas as further defined in paragraph (h) of this order:

Barton.	Enosburg Falls.
Bethel.	Essex Junction.
Bradford.	Fair Haven.
Brandon.	Fairlee.
Bristol.	Gilman.
Castleton.	Hardwick.
Cavendish-Ludlow.	Hubbardton.
Chelsea.	Island Pond.
Chester.	Jeffersonville.
Derby.	Johnson.

Lyndonville.
Manchester.
Middlebury.
Morrisville.
Newport.
North Troy.
Orleans.
Pittsford.
Plainfield.
Poultney.
Proctor.
Randolph.

Richford.
Richmond.
Rochester.
St. Albans.
Stowe.
Vergennes.
Wallingford.
West Rutland.
Williamstown.
Wilmington.
Woodstock.

2. The following are added to the definitions of market areas in paragraph (h), each to be inserted in the list according to alphabetical order:

Market areas:	Localities included
Castleton.....	The town of Castleton.
Fair Haven.....	The town of Fair Haven.
Hubbardton....	The town of Hubbardton.
Poultney.....	The town of Poultney.
Proctor.....	The town of Proctor.
West Rutland..	The town of West Rutland.

3. Subparagraph (6) is added to paragraph (g), to read as follows:

(6) This Amendment No. 6 shall become effective November 5, 1944 at 12:01 a. m.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681)

Issued this 4th day of November 1944.

FREDERICK A. McDERMOTT,
Acting Regional Administrator.

[F. R. Doc. 44-17448; Filed, Nov. 14, 1944;
2:30 p. m.]

[Region I Rev. Order G-30 Under 18 (c)]

FIREWOOD IN MAINE

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by section 18 (c) of the General Maximum Price Regulation and the Emergency Price Control Act of 1942, as amended, Region I Order No. G-30 under section 18 (c) of the General Maximum Price Regulation is revised and amended and is hereby issued as Revised Order No. G-30, to read as follows:

(a) For firewood sold or delivered in the State of Maine the maximum prices established by § 1499.2 of the General Maximum Price Regulation are modified so that the maximum prices for firewood sold or delivered therein shall be the prices set forth in Appendix A hereof, incorporated herein as paragraph (h).

(b) *Definitions.* When used in this order the term:

(1) "Firewood" means any wood prepared and intended for consumption as fuel, whether green or dry.

(2) "Hardwood" means wood cut from deciduous trees, except poplar and basswood.

(3) "Softwood" means poplar and basswood and wood cut from non-deciduous trees.

(4) "Cordwood" means any firewood so prepared that at least 80 per cent consists of cleft wood or merchantable body wood in the round of desirable species and firewood resulting from the practice (mostly in Aroostook County and ad-

joining Canadian Provinces) of cutting logs into 16 inch lengths and splitting such lengths into slabs two or three inches thick. Cordwood shall also include hardwood slabs and hardwood shipyard waste, 90 percent or more of which is at least 12 inches long, with an average thickness of 1½ inches and a width of at least 4 inches. Hardwood slabs and hardwood shipyard waste less than 90 percent of which meets these specifications must be priced as hardwood edgings. All such firewood must be free of rot.

(5) "Slabwood" means the refuse, except sawdust and bark not adhering to the wood, resulting from the sawing of any logs.

(6) "Edgings" means the round edge parts of boards removed in the process of sawing round edge boards into square edge boards.

(7) "Blocks" means small chunks of wastewood, such as the ends of boards or the ends of spool bars.

(8) "Cord" means the Maine Statutory unit of measure consisting of 128 cubic feet or the equivalent of a pile closely stacked 8 feet in length, 4 feet in width and 4 feet in height (see Chapter 51, section 1, Maine Revised Statutes of 1930).

(9) A load of firewood, not exceeding 16 inches in length, sold in the loose shall contain not less than 144 cubic feet; ½ of a load shall contain not less than 72 cubic feet; and ¼ of a load shall contain not less than 36 cubic feet (see Chapter 204, section 1, Maine Laws of 1939).

(10) "Roadside" is any road that is maintained or kept open for traffic twelve months of the year.

(11) "Delivered" means deposited on or at the premises designated by the buyer, but does not include piling or stacking.

(12) "Zone 1", "Zone 2", "Zone 3", "Zone 4", and "Zone 5" mean the zones set forth in Appendix B, incorporated as paragraph (i) hercof.

(c) The price limitations set forth in this order shall not be evaded either by direct or indirect methods in connection with an offer, solicitation, agreement, sale, delivery, purchase, or receipt of or relating to firewood in the State of Maine, alone or in conjunction with any other commodity or by way of commission, service, transportation, or other charge or discount, premium, or other privilege, or by tying agreement or other trade understanding or otherwise. Specifically, without limiting the generality of the foregoing, the following practices are forbidden:

(1) No seller shall require as a condition of any sale or delivery of firewood that the buyer use any services of the seller in carrying, stacking or piling the purchased wood on the premises of the buyer.

(2) No seller shall increase prices by any charge for the extension of credit, or by any decrease in the time customarily allowed for payment.

(d) Unless the context otherwise requires, the definitions set forth in section 20 of the General Maximum Price Reg-

ulation shall apply to the terms used in this order.

(e) *Invoice and records.* Every person making a sale of firewood for which a maximum price is set by this order shall give the purchaser or his agent at the time of the sale an invoice or other memorandum of sale, which shall show:

- (1) The date of sale.
- (2) The name and address of the buyer and seller.
- (3) The quantity of firewood sold.
- (4) Description of firewood sold, in the same manner as it is described in this order. (This shall include the kind of wood, i. e., hard, soft or mixed, and length of pieces of wood).
- (5) Place of sale, (if the price is dependent on place of delivery, then the place of delivery shall be stated).
- (6) The total price of the wood.

On the invoice or memorandum, a separate statement shall be made of any discounts and of each service rendered such as delivery, carrying and stacking, and the charge made for each such service.

The seller shall keep an exact copy of such invoice or memorandum for a period of two years and such copy shall be made available for inspection by the Office of Price Administration.

(f) This order may be revoked, amended, or corrected at any time.

(g) This order shall become effective at 12:01 a. m. November 13, 1944.

(h) *Appendix A; maximum prices for firewood sold or delivered in the State of Maine.* (1) The prices set forth in the following tables are the maximum prices for firewood sold or delivered in the State of Maine: *Provided*, That for the sale of firewood suitable for stove use, split to the buyer's order, the seller may increase the appropriate delivered firewood price by \$1 per cord or per load. If firewood is sold or delivered in a quantity for which a price is not specified in the following tables, the maximum price for such quantity shall be that proportion of the maximum price for the next larger quantity listed in the following tables that the quantity sold or delivered bears to such next larger quantity.

TABLE 1—FUEL WOOD MAXIMUM PRICES

ZONE 1

[Delivered to buyer's premises—grounds only]

Type of fuel wood	Length	In mill pit cord	Mill yard or road- side cord	Cord or load	½ cord or ½ load	¼ cord or ¼ load	Cubic feet
Hardwood cordwood.....	4'		11.00	14.25			
Hardwood cordwood.....	16", 12"		12.50	18.50	9.50	5.00	
Hardwood edgings.....	4'	5.25	6.50	13.00	7.00	3.75	
Hardwood edgings.....	16", 12"		8.00	15.50	8.00	4.50	20¢.
Softwood slabs.....	4'	2.25	3.50	10.00	5.50	3.00	
Softwood slabs.....	16", 12"		5.00	14.00	7.50	4.25	18¢, 2/3¢.
Softwood edgings.....	4'	1.25	2.50	9.50	5.00	2.75	
Softwood edgings.....	16", 12"		4.00	13.00	7.00	4.00	18¢, 2/3¢.
Hardwood or softwood blocks.....			6.50	13.00	7.00	4.00	20¢.

Other lengths than those specified: 24" lengths to be sold at the rate of 50¢ per cord less than the amounts specified for 12" and 16" lengths.

TABLE 2—FUEL WOOD MAXIMUM PRICES

ZONE 2

[Delivered to buyer's premises—grounds only]

Type of fuel wood	Length	In mill pit cord	Mill yard or road- side cord	F. o. b. car cord	Cord or load	½ cord or ½ load	¼ cord or ¼ load	Cubic feet
Hardwood cordwood.....	4'		11.00	13.00	13.75			
Hardwood cordwood.....	16", 12"		12.50	14.50	18.00	9.00	4.75	
Hardwood edgings.....	4'	5.25	6.50	7.50	9.50	5.00	2.75	
Hardwood edgings.....	16", 12"		8.00	9.00	11.00	6.00	3.50	18¢, 2/3¢.
Softwood cordwood.....	4'		8.00	9.00	10.50	5.50	3.00	
Softwood cordwood.....	16", 12"		9.50	10.50	14.50	7.50	4.00	
Softwood slabs.....	4'	2.25	3.50	4.50	7.50	4.00	2.25	
Softwood slabs.....	16", 12"		5.00	6.00	9.50	5.00	3.00	15¢, 2/3¢.
Softwood edgings.....	4'	1.25	2.50	3.50	5.50	3.00	1.75	
Softwood edgings.....	16", 12"		4.00	5.00	7.50	4.00	2.50	15¢, 2/3¢.
Hardwood or softwood blocks, etc.			6.50	7.50	10.50	5.50	3.00	18¢, 2/3¢.
Hardwood sawdust.....					3.00			
Softwood sawdust.....					2.50			

Other lengths than those specified: 24" lengths to be sold at the rate of 50¢ per cord less than the amounts specified for 12" and 16" lengths.

TABLE 3—FUEL WOOD MAXIMUM PRICES

ZONE 3

Delivered to buyer's premises—grounds only]

Type of fuel wood	Length	In mill pit cord	Mill yard or road- side cord	F. o. b. car cord	Cord or load	½ cord or ½ load	¼ cord or ¼ load	Cubic feet
Hardwood cordwood.....	4'		11.00	13.00	13.50			
Hardwood cordwood.....	16", 12"				16.25	8.25	4.25	

All other fuel wood prices the same as those listed for Zone 2.
Other lengths than those specified: 24" lengths to be sold at the rate of 50¢ per cord less than the amounts specified for 12" and 16" lengths.

TABLE 4—FUEL WOOD MAXIMUM PRICES

ZONE 4

[Delivered to buyer's premises—grounds only]

Type of fuel wood	Length	In mill pit cord	Mill yard or road- side cord	F. o. b. car cord	Cord or load	½ cord or ¼ load	¼ cord or ¼ load	Cubic feet
Hardwood cordwood	4'		11.00	13.00	13.00			
Hardwood cordwood	16", 12"				15.25	7.75	4.00	

All other fuel wood prices the same as those listed for Zone 2.
Other lengths than those specified: 24" lengths to be sold at the rate of 50¢ per cord less than the amounts specified for 12" and 16" lengths.

TABLE 5—FUEL WOOD MAXIMUM PRICES

ZONE 5

Maximum prices in each coastland island listed in Appendix B, Zone 5, shall be determined by taking the applicable maximum price for the point on the mainland from which the firewood is shipped and adding the actual toll or water freight necessary to transport the wood to the island. Any seller who sells or delivers 10 or more cords in any one twelve months' period (September 1 to September 1) shall report to the nearest War Price and Rationing Board the actual toll or water freight charge, together with satisfactory evidence that the charge is reasonable and necessary, within 15 days after his first sale or delivery, following the effective date of this order.

(2) The maximum price for firewood sold at points other than those listed above (roadside, etc.) shall be arrived at by deducting from the appropriate maximum price established above an amount equal to the actual cost incurred in transporting the wood to and loading the wood at the point of shipment described above actually used, or in the case of wood trucked to consumer's premises, the actual cost of such trucking.

(i) Appendix B.

ZONES

For the purposes of this order the State of Maine is divided into five zones, designated as Zone 1, Zone 2, Zone 3, Zone 4, and Zone 5.

Zone 1. The following cities, towns, townships, and plantations in the State of Maine shall comprise Zone 1—(by counties):

Androscoggin: Lewiston, Auburn, Cumberland: Portland, South Portland, Cape Elizabeth, Westbrook.

Zone 2. The following cities, towns, townships, and plantations in the State of Maine shall comprise Zone 2—(by counties):

Aroostook: Caribou, Houlton, Littleton, Mars Hill, Easton, Presque Isle. *Cumberland*: Falmouth, Harpswell, Freeport, Yarmouth, Cumberland, Brunswick, Scarborough. *Kennebec*: Augusta, Hallowell, Benton, Gardiner, Randolph, Farmingdale, Winslow, Waterville, Oakland. *Knox*: Rockland, Rockport, Camden, Thomaston, South Thomaston, St. George, Cushing, Friendship, Warren, Owl's Head. *Lincoln*: Waldoboro, Nobleborough, Damariscotta, Bremen, Bristol, South Bristol, Boothbay, Boothbay Harbor, Newcastle, Edgecomb, Wiscasset. *Penobscot*: Bangor, Veazie, Brewer, Orrington, Hampden. *Sagadahoc*: Arrowsic, Georgetown, Phippsburg, West Bath, Bath, Woolwich, Topsham. *Somerset*: Fairfield. *York*: Saco, Biddeford, Kittery, Elliot, York, Old Orchard Beach. *Washington*: Eastport.

Zone 3. The following cities, towns, townships and plantations in the State of Maine shall comprise Zone 3—(by counties):

Androscoggin: Lisbon, Webster, Mechanic Falls, Livermore Falls, Greene, Poland, Minot, Durham. *Aroostook*: Fort Fairfield, Limestone, Fort Kent, Frenchville, Madawaska, Grand Isle, Van Buren, St. Agatha, Blaine, Bridgewater, Monticello, Washburn, Mapleton, Westfield, Connor, Caswell Plantation,

New Sweden, Chapman, Ludlow, New Limerick, Hodgson, Linneus, Woodland. *Cumberland*: Gorham, Windham, Bridgton, Harrison, Pownal, North Yarmouth, Gray, New Gloucester. *Franklin*: Farmington, Wilton, Jay. *Hancock*: Bucksport, Orland, Ellsworth, Surry, Bluehill, Brooklin, Sedgwick, Brooks-ville, Castine, Penobscot, Trenton, Lamolne, Sorrento, Winter Harbor, Verona. *Kennebec*: Vassalboro, Winthrop, Chelsea, Pittston, Clinton, Albion, China, Sidney, Belgrade, Windsor, Manchester, West Gardiner. *Knox*: Union, Hope. *Lincoln*: Jefferson, Alna, Dresden, Oxford: Rumford, Mexico, Dixfield, Bethel, Paris, Norway, Fryeburg. *Penobscot*: Old Town, Milford, Bradley, Orono, Eddington, Holden, Alton, Glenburn, Hermon, Carmel, Newburgh, Newport, Corinna, Dexter. *Piscataquis*: Dover-Foxcroft, Sangerville, Milo, Guilford, Brownville. *Sagadahoc*: Richmond, Bowdoin, Bowdoinham. *Somerset*: Skowhegan, Norridgewock, Madison, Pittsfield, Anson, Canaan, Smithfield. *Waldo*: Belfast, Northport, Lincolnville, Winterport, Frankfort, Prospect, Stockton Springs. *Washington*: Calais, Baring, Lubec, Machias, Machiasport, Jonesport. *York*: Wells, Kennebunk, Kennebunkport, North Kennebunkport, Berwick, South Berwick, North Berwick, Sanford, Buxton, Dayton.

Zone 4. All cities, towns, townships, and plantations in the State of Maine not specifically listed in Zone 1, Zone 2, Zone 3, or Zone 5 shall comprise Zone 4.

Zone 5. The following cities, towns, townships, and plantations in the State of Maine shall comprise Zone 5—(by counties):

Hancock: Bar Harbor, Mt. Desert, Southwest Harbor, Tremont, Swan's Island, Long Island Place, Cranberry Isles, Deer Isle, Stonington. *Knox*: North Haven, Vinalhaven, Matineus Isle, Isle Au Haut. *Lincoln*: Southport, Westport, Monhegan Island. *Waldo*: Isleborough.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.: E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 8th day of November 1944.

ELDON C. SHOUF,
Regional Administrator.

[F. R. Doc. 44-17449; Filed, Nov. 14, 1944;
2:30 p. m.]

[Region IV Order G-1 Under 18 (c), Amdt. 1]
FLUID MILK IN LEE AND RUSSELL COUNTIES,
ALA.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator, Region IV, of the Office of Price Administration by § 1499.73a (a) (1) (viii) (c) (Supplementary Regulation 14A) of the General Maximum Price Regulation as amended, It is hereby ordered, That Order G-10 under section 18 (c) of the General Max-

imum Price Regulation be amended in the following respects:

A new section III-A be inserted following section III, to read as follows:

SEC. III-A. *Premium milk*. (a) A person who sold premium milk during January, 1943 shall determine the maximum price for such milk as follows:

Take the highest price (before all discounts or quantity differentials have been deducted) at which he sold each different kind, grade, quality, or quantity of premium milk during January, 1943 at wholesale, out-of-retail-store, or delivered-to-the-home, respectively.

Next, subtract from each of those prices the highest price (before discounts or quantity differentials have been deducted) at which he sold other approved fluid milk during January, 1943 in containers of the same size and type at wholesale, out-of-retail-store, or delivered-to-the-home. The differentials thus obtained shall be the premium for each size and type of container and type of sale. These maximum prices may then be added to the specific maximum prices for non-premium milk fixed by this adjustment: *Provided*, That the seller within sixty days after the effective date of this amendment shall file a report with the Atlanta Regional Office of the Office of Price Administration, Candler Building, Atlanta, Georgia, showing:

(1) The total quantity, expressed in quarts, of approved fluid milk sold by such seller during January, 1943;

(2) The types of premium milk sold by such seller during January, 1943;

(3) The differential at which he sold each type of such milk during January, 1943; and

(4) The total quantity, expressed in quarts, of each type of special milk which he sold during January, 1943.

The Atlanta Regional Office of the Office of Price Administration, Atlanta, Georgia, may correct the prices so reported and shall revise any such prices if the differential reported is higher than that generally prevailing during January, 1943 in the local market area or an adjoining area.

(b) A seller of approved fluid milk who did not sell premium milk, or who sold only premium milk during January, 1943, may not add any premium to the maximum prices established under this area adjustment unless he first files an application in writing with the Atlanta Regional Office of the Office of Price Administration, Candler Building, Atlanta, Georgia, for permission to sell such premium milk at prices requested, and has been granted a price at which to sell such premium milk under an appropriate order issued by such regional office.

(c) No seller of fluid milk who during January, 1943 sold premium milk may add any premium to the maximum prices established pursuant to this subdivision if he increases the volume of premium milk sold in any calendar month more than 5 percent above the volume of such premium milk sold by him during January, 1943, unless he shall first file an application with the Atlanta Regional Office of the Office of Price Administra-

tion, Candler Building, Atlanta, Georgia, for permission to increase the volume of such premium milk sales, and has been granted such permission under an appropriate order issued by such Regional Office.

Any application filed pursuant to the foregoing subdivisions (b) or (c) shall contain the following:

(1) If the application is made by a seller who sold premium milk during January, 1943, it shall contain a copy of the report required by the foregoing subdivision (a);

(2) A description of the different types of premium milk sold in the area in which the applicant desires to establish maximum prices for premium milk, or in which the applicant desires to increase the volume of premium milk which he sells, as the case may be. If no premium milk is sold in the area served by the seller, the application shall so state;

(3) The maximum prices of such premium milk established pursuant to the foregoing provisions of this Section III-A by the applicant or other sellers of premium milk in the area served by the applicant;

(4) A specific description of the kind, grade, and quality of the premium milk or milks concerning which the application is made;

(5) A full and complete statement of the reasons justifying the application for classifying such milk as premium milk, or for an increase in the volume of sale of an already established premium milk, as the case may be. It shall include a full statement showing that a denial of the application will result in substantial hardship to the applicant, and that a shortage or threatened shortage of a type of milk necessary to a standard of living consistent with the prosecution of the war will result from such denial;

(6) If the applicant was not selling premium milk during January, 1943, the application shall show the total quantity of approved fluid milk, expressed in quarts, sold by him in January, 1943, together with the quantity of premium milk which the applicant proposes to sell and the premium, expressed in cents per quart, which he desires to add to the maximum price established pursuant to this subdivision. If the applicant was not in the business of selling fluid milk during January, 1943, he shall additionally show the total quantity of approved fluid milk, expressed in quarts, sold by him during the last calendar month preceding the application.

This amendment to Order G-10 shall become effective November 12, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued: November 7, 1944.

THOMAS L. HISGEN,
Acting Regional Administrator.

[F. R. Doc. 44-17447; Filed, Nov. 14, 1944;
2:30 p. m.]

[Green Bay Order G-1 Under MPR 426, MPR 285 and RMPE 271]

FRESH FRUITS AND VEGETABLES IN GREEN BAY, WIS., DISTRICT

For the reasons set forth in the opinion issued simultaneously herewith and under the authority vested in the District Director of the Green Bay District Office of the Office of Price Administration by § 1439.3-15, appendices H (f), I (g), J (l) and K (r) of Maximum Price Regulation 426, § 1351.1254a (a) of Maximum Price Regulation 285 and section 11 (c) (7) (iv) of Revised Maximum Price Regulation 271, it is hereby ordered:

SECTION 1. What this order does. This order establishes uniform free delivery zones for the territories served by the Green Bay District Office of the Office of Price Administration for deliveries of certain fresh fruits and vegetables by persons qualified under this order who are engaged in the distribution thereof. It also prescribes differentials for non-delivered sales and establishes uniform charges for deliveries of certain items beyond the free delivery zones by qualified sellers. The commodities affected by this order are those within the coverage of Revised Maximum Price Regulation 271, Maximum Price Regulation 285 and appendices H, I, J and K of Maximum Price Regulation 426. The persons affected by this order are the intermediate sellers of commodities under Revised Maximum Price Regulation 271, the wholesalers of the commodities under Maximum Price Regulation 285 and the secondary jobbers and service wholesalers of commodities under Appendices H, I, J and K of Maximum Price Regulation 426.

SEC. 2. Free delivery zones established. The free delivery zones established in the State of Wisconsin by this order are: The free delivery zones of Antigo, Appleton, Green Bay, Manitowoc, Marinette, Oshkosh, Rhinelander, Stevens Point and Wausau. They shall consist of

25 miles or less beyond free delivery zone	25 to 50 miles beyond free delivery zone	50 to 75 miles beyond free delivery zone	Beyond 75 miles
20¢ per cwt. but not less than 10¢ per stop.	25¢ per cwt. but not less than 10¢ per stop.	30¢ per cwt. but not less than 15¢ per stop.	35¢ per cwt. but not less than 15¢ per stop.

SEC. 4. Differentials for non-delivered and delivered sales of items under Maximum Price Regulation 285 (bananas)—

(a) *Delivered sales in free delivery zone and non-delivered sales.* For non-delivered sales and for sales in which deliveries are made in the free delivery zone, the maximum price shall be the maximum delivered price computed under Maximum Price Regulation 285 for the type of sale being made. Customary discounts and price differentials, including any differential or discounts for

25 miles or less beyond free delivery zone	25 to 50 miles beyond free delivery zone	50 to 75 miles beyond free delivery zone	Beyond 75 miles
20¢ per cwt.	25¢ per cwt.	30¢ per cwt.	35¢ per cwt.

the territory within the corporate limits of said cities, together with an area five miles in depth surrounding the corporate limits of those cities.

Sec. 3. Differentials for non-delivered and delivered sales of items listed in appendices H, I, J and K of Maximum Price Regulation 426—(a) *Non-delivered sales.* For sales on a non-delivered basis of the commodities covered in Appendices H, I, J and K of Maximum Price Regulation 426 there shall be deducted from the maximum price for delivered sales in a free delivery zone 5 cents per container for standard shipping containers weighing under 50 pounds gross weight and 10 cents per container for standard shipping containers weighing 50 pounds or over, gross weight. A deduction of 2 cents or 5 cents, respectively, shall be made for non-delivered sales of half standard shipping containers or more, or for bulk sales weighing as much as or more than half a standard container of the items being sold. No deductions need be made for sales in less than half containers and for bulk sales in less than half containers and for bulk sales which weigh less than half a standard container of the item being sold.

(b) *Delivered sales in free delivery zone.* The maximum price for delivered sales in a free delivery zone shall be the maximum delivered price computed under Maximum Price Regulation 426 for the type of sale being made, without any deduction from or addition thereto.

(c) *Delivered sales beyond free delivery zone.* For sales in which deliveries are made beyond a free delivery zone, the amount set out below may be added to the maximum price for delivered sales in the free delivery zone. Mileage beyond the free delivery zone shall be computed via the nearest publicly traveled route. The charges set forth below shall be computed on the gross weight of the commodity delivered, whether in bulk or in containers:

f. o. b. seller or non-delivered sales, must be maintained.

(b) *Delivered sales beyond free delivery zone.* For sales in which deliveries are made beyond a free delivery zone, the amount set out below may be added to the maximum price for delivered sales in the free delivery zone. Deliveries beyond a free delivery zone shall be computed via the nearest publicly traveled route. Delivery charge shall be computed for the net weight of bananas delivered.

Sec. 5. *Differentials for non-delivered and delivered sales of items under Revised Maximum Price Regulation 271 (potatoes and onions)*—(a) *Delivered sales in free delivery zone and non-delivered sales.* For non-delivered sales and for sales in which deliveries are made in the free delivery zone, the maximum price shall be the maximum delivered price computed under Revised Maximum Price Regulation 271 for the type of sale being made.

25 miles or less beyond free delivery zone	25 to 50 miles beyond free delivery zone	50 to 75 miles beyond free delivery zone	Beyond 75 miles
20¢ per cwt. but not less than 10¢ per stop.	25¢ per cwt. but not less than 10¢ per stop.	30¢ per cwt. but not less than 15¢ per stop.	35¢ per cwt. but not less than 15¢ per stop.

Sec. 6. *Evasion.* No person subject to this order may make delivery charges in excess of those established herein but lower charges may be made. This order shall not be evaded, whether by direct or indirect methods in connection with any offer, solicitation, agreement, sale, delivery, purchase or receipt of the commodities covered by Revised Maximum Price Regulation 271. Maximum Price Regulation 285, and Appendices H, I, J and K of Maximum Price Regulation 426, or by way of commission, service, discount, premium or other privilege, or otherwise.

Sec. 7. *Posting.* All persons covered by this order must post in a conspicuous place in the vehicles employed in the hauling of commodities affected by this order, copies of sections 3, 4 and 5 of this order, insofar as they are applicable to the particular products transported by each vehicle.

Sec. 8. *Records.* Persons making delivery charges authorized by this order shall, on the written evidences of the sale or delivery required to be kept or supplied by the regulation applicable to the sale of the commodity, show the place of origin of the delivery and separately state the amount of the delivery charge made.

Sec. 9. *Relationship with regulations.* Except as modified herein, persons making sales or deliveries of commodities within the coverage of Revised Maximum Price Regulation 271, Maximum Price Regulation 285 and Appendices H and I of Maximum Price Regulation 426 shall continue to be subject to the provisions of the applicable regulation.

(b) *Delivered sales beyond free delivery zone.* For sales in which deliveries are made beyond a free delivery zone, the amount set out below may be added to the maximum price for delivered sales in the free delivery zone. Mileage beyond the free delivery zone shall be computed via the nearest publicly traveled route. The charges set forth below shall be computed on the gross weight of the commodity delivered, whether in bulk or in containers:

50 to 75 miles beyond free delivery zone	Beyond 75 miles
30¢ per cwt. but not less than 15¢ per stop.	35¢ per cwt. but not less than 15¢ per stop.

Sec. 10. *Definitions.* (a) "Delivery" shall mean delivery to the physical premises of a retail store, hotel, restaurant or institution.

(b) "Non-delivered sale" shall mean any sale in which the commodity is not delivered to the physical premises of a retail store, hotel, restaurant or institution.

(c) The terms and phrases not herein defined shall be given the meaning accorded them in Revised Maximum Price Regulation 271, Maximum Price Regulation 285, Maximum Price Regulation 426 or the Emergency Price Control Act of 1942, as amended; and if not therein defined, their ordinary meaning.

Sec. 11. *Revocability.* This order may be revoked, amended or corrected at any time.

Sec. 12. *Effective date.* This order shall become effective on November 15, 1944.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued November 6, 1944.

JOHN C. REINHART,
District Director,
Office of Price Administration.
DONALD E. SMITH,
Acting Regional Director,
War Food Administration,
Office of Distribution.

[F. R. Doc. 44-17451; Filed, Nov. 14, 1944; 2:31 p. m.]

[Region VI Order G-16 Under RMPR 122, Appendix 8]

SOLID FUELS IN SUPERIOR, WIS., AREA

(a) *Applicability.* This Appendix No. 8 applies to sales of solid fuels delivered within the incorporated city limits of the city of Superior, Wisconsin.

(b) *Price schedule.* Immediately below and as a part of this section (b) is a Price Schedule that sets maximum prices for domestic and commercial "delivered," set forth in schedule (f).

PRICE SCHEDULE

	Delivered		At yard		Dealer at yard	
	Domestic	Commercial	Domestic	Commercial	Domestic	Commercial
I. Bituminous coal from district No. 2 (western Pennsylvania):						
1. Lump.....	\$10.60	\$9.15	\$9.70	\$8.75	\$7.75	\$7.65
2. Egg.....	10.40	8.95	9.50	8.55	7.55	7.45
3. Stove.....	10.25	8.80	9.35	8.40	7.40	7.30
4. Screenings.....	8.55	7.25	7.65	6.85	6.45	6.05
II. Bituminous coal from district No. 3 (northern West Virginia):						
1. Lump—Pittsburgh seam.....	10.60	9.15	9.70	8.75	7.75	7.65
2. Egg—Pittsburgh seam.....	10.40	8.95	9.50	8.55	7.55	7.45
3. Stove—Pittsburgh seam.....	10.25	8.80	9.35	8.40	7.40	7.30
4. Screenings—Pittsburgh seam.....	8.55	7.25	7.65	6.85	6.45	6.05
III. Low Volatile Bituminous Coal from district No. 7 (southern West Virginia and northwestern and central Virginia):						
1. Lump.....	13.35		12.45		10.35	
2. Egg.....	13.60		12.70		10.50	
3. Stove.....	13.25		12.35		10.00	
4. Nut.....	12.05		11.15		8.80	
5. Pea or domestic stoker.....	9.90	8.40	9.00	8.00	7.55	8.70
6. Screenings.....	9.05	7.75	8.15	7.35	6.95	6.55
IV. High volatile bituminous coal from district No. 8 (eastern Kentucky, West Virginia, parts of Tennessee, and North Carolina):						
A. Lump:						
1. Millers Creek, or No. 5 seam or high Splint.....	12.05	10.60	11.15	10.20	9.20	9.10
2. Elkhorn.....	11.65	10.20	10.75	9.80	8.80	8.70
3. Dorothy.....	11.30	9.85	10.40	9.45	8.45	8.35
4. Island Creek.....	11.10	9.70	10.20	9.30	8.20	8.15
B. Egg:						
1. Millers Creek, No. 5 or High Splint.....	11.85	10.40	10.95	10.00	9.00	8.90
2. Elkhorn.....	11.45	10.00	10.55	9.60	8.60	8.50
3. Dorothy.....	11.10	9.65	10.20	9.25	8.25	8.15
4. Island Creek.....	10.90	9.45	10.00	9.05	8.05	7.95
C. Stove:						
1. Millers Creek, No. 5 or High Splint.....	11.70	10.25	10.80	9.85	8.85	8.75
2. Elkhorn.....	11.30	9.85	10.40	9.45	8.45	8.35
3. Dorothy.....	10.95	9.50	10.05	9.10	8.10	8.00
4. Island Creek.....	10.75	9.30	9.85	8.90	7.90	7.80
D. Stoker (double screened):						
1. Millers Creek, Elkhorn or No. 5.....	10.10	8.60	9.20	8.20	7.25	7.40
E. Screenings:						
1. Millers Creek, Elkhorn or High Splint.....	8.95	7.65	8.05	7.25	6.85	6.45
2. Dorothy or No. 5 Block.....	8.80	7.50	7.70	7.10	6.70	6.30
3. Island Creek.....	8.70	7.40	7.80	7.00	6.60	6.20
V. Pennsylvania anthracite:						
1. Egg, stove, and nut.....	15.65		14.75		12.85	
2. Pea.....	14.10		13.20		11.30	
3. Buckwheat.....	12.45		11.55		9.65	
VI. Byproduct coke:						
1. Egg, stove, and nut.....	13.45		12.55		10.45	
2. Pea.....	12.45		11.55		9.45	
VII. Briquettes:						
1. Glen Rogers.....	12.45		11.55		9.45	
2. Berwind.....	12.25		11.35		9.25	
3. Stott.....	12.10		11.20		9.10	

½ ton delivered prices shall be calculated by adding 50¢ to ½ of the 1 ton delivered price.

domestic and commercial "at yard" and domestic and commercial "dealer at yard" sales of dealers of specified kinds and sizes of solid fuels in lots of 1 ton or more. Service Charges are set forth in section (c). Discounts for payments made by the 15th of the month following delivery on domestic coals are set forth in section (d). The provision with reference to the 4¢ transportation tax is set forth in section (e). Definitions are set forth in schedule (f).

(c) *Service charges.* Immediately below and as a part of this section (c) is a schedule of charges that sets forth prices which a dealer may make for the special services described when rendered in connection with sales of solid fuels covered by this appendix. These charges may be made only if the buyer requests the service and the dealer renders it pursuant to the request. The charges must be separately stated in the dealer's invoice.

SCHEDULE OF SERVICE CHARGES

	Cents per ton
Carrying from curb.....	75
Carrying up stairs.....	75

(d) *Discounts.* The maximum prices provided for in the schedule in section (b) shall be subject to the following discounts:

1. On "domestic" sales, if payment is made by the 15th of the month following the date of delivery, 50 cents a ton.
2. On "commercial" sales, there need be no cash discounts.

(e) *Transportation tax.* The maximum prices provided for in the schedule in section (b) do not include the 4¢ transportation tax.

(f) *Definitions.* When used in this appendix the following terms shall have the meanings as set forth below:

1. "Commercial sales" refers to sales made to apartment houses with four or more apartments having one central heating plant, licensed rooming houses, hotels, institutions, and commercial and industrial users, when deliveries are made in adjusted or unadjusted weights in quantities of 2½ tons or more.

2. The terms "lump," "stove," "stoker," "egg," "nut," when applied to coals rescreened at the docks, shall refer to the sizes prepared and sold at the docks under such designations and sizes during December 1941.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681)

This appendix No. 8 to Order No. G-16 shall be effective November 15, 1944.

Issued this 7th day of November 1944.

RAE E. WALTERS,
Regional Administrator.

[F. R. Doc. 44-17450; Filed, Nov. 14, 1944;
2:31 p. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File No. 70-816]

AMERICAN LIGHT AND TRACTION CO., ET AL.
ORDER POSTPONING HEARING AND CHANGING
DESIGNATION OF TRIAL EXAMINER

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 11th day of November A. D. 1944.

In the matter of American Light & Traction Company, Michigan Consolidated Gas Company, American Produc-

tion Company, American Michigan Pipe Line Company, Waverly Company; File No. 70-816.

The Commission having by order dated October 24, 1944 designated November 16, 1944 as the date for reconvening the hearing in the above entitled proceeding for the purpose of adducing evidence with respect to the necessity for advisory services rendered by Dillon, Read & Co. in connection with the recent refunding of the outstanding funded debt and preferred stock of Michigan Consolidated Gas Company and the reasonableness of the proposed fee for such services in the amount of \$30,000; and

A conflict in dates having arisen necessitating the postponement of the hearing in this matter; and the Commission deeming it appropriate under the circumstances that the hearing be postponed; and

It appearing to the Commission that Willis E. Monty who was designated as a trial examiner to preside at the hearing previously scheduled for November 16, 1944, will not be available to conduct the said hearing on the postponed date to be set hereinbelow:

It is ordered, That the hearing in this matter previously scheduled for November 16, 1944 at 10:00 a. m., e. w. t., at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania be, and hereby is, postponed to November 28, 1944 at the same hour and place.

It is further ordered, That Henry C. Lank be, and is hereby, designated as the officer of the Commission to preside at the hearing herein instead of Willis E. Monty;

It is further ordered, That the time within which any person desiring to be heard or otherwise to participate in said proceeding shall file his request or application therefor with the Secretary of the Commission, as provided by Rule XVII of the Commission's rules of practice, be, and the same hereby is, extended to November 25, 1944.

By the Commission.

[SEAL] ORVAL L. DuBois,
Secretary.

[F. R. Doc. 44-17455; Filed, Nov. 14, 1944;
3:24 p. m.]

[File No. 70-993]

ASSOCIATED UTILITIES CORP. AND GAS AND ELECTRIC ASSOCIATES

NOTICE OF FILING AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 11th day of November 1944.

Notice is hereby given that a joint declaration has been filed under the Public Utility Holding Company Act of 1935 by Associated Utilities Corporation and its subsidiary, Gas and Electric Associates, both registered holding companies and subsidiaries of Denis J. Driscoll and Willard L. Thorp, Trustees of Associated Gas and Electric Corporation, also a registered holding company, regarding

the proposed sale of their holdings of shares of the outstanding capital stock of Paul Smith's Electric Light and Power and Railroad Company. All interested persons are referred to said document which is on file in the offices of this Commission for a statement of the transactions therein proposed, which may be summarized as follows:

Associated Utilities Corporation proposes to sell to Paul Smith's College of Arts and Sciences its holdings of 1,250 shares of the outstanding common stock, \$100 par value, of Paul Smith's Electric Light and Power and Railroad Company for \$60,000; and Gas and Electric Associates proposes, to sell to Paul Smith's College of Arts and Sciences its holdings of 4,977½ shares of such common stock for \$240,000. The proposed purchaser now owns the remaining outstanding shares of common stock, representing 50.18% of the voting power of Paul Smith's Electric Light and Power and Railroad Company.

It appearing to the Commission that it is appropriate in the public interest and the interest of investors and consumers that a hearing be held with respect to said matters, and that said declaration shall not become effective except pursuant to further order of this Commission:

It is ordered, That a hearing on such matters under the applicable provisions of said act and rules of the Commission thereunder be held on November 27, 1944, at 2:00 p. m., e. w. t., at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania, at which time the hearing room clerk in room 318 will advise as to the room in which such hearing will be held. At such hearing cause shall be shown why such declaration shall become effective. Any person desiring to be heard in such proceeding shall file with the Secretary of the Commission, on or before November 22, 1944, his request therefor as provided by Rule XVII of the rules of practice of the Commission.

It is further ordered, That Allen McCullen or any other officer or officers of the Commission designated by it for that purpose shall preside at the hearings in such matter. The officer so designated to preside at such hearings is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of said act and to a trial examiner under the Commission's rules of practice.

It is further ordered, That, without limiting the scope of the issues presented by said declaration, particular attention will be directed at the hearing to the following matters and questions:

1. Whether the proposed transactions are in the public interest and in the interest of investors and consumers;
2. Whether the consideration to be received for the proposed sale is fair and reasonable;
3. The propriety of the accounting treatment to reflect the proposed transactions on the books of the declarants;
4. Whether, in all other respects, the proposed transactions comply with all the applicable provisions and requirements of the Public Utility Holding Company Act of 1935 and the rules and regulations thereunder.

It is further ordered, That notice of such hearing be given to declarants and to all other interested persons; said notice to be given to declarants by registered mail and to all other persons by general release of this Commission, which shall be distributed to the press and mailed to the mailing list for releases issued under the Public Utility Holding Company Act of 1935, and by publication in the FEDERAL REGISTER.

By the Commission,

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 44-17457; Filed, Nov. 14, 1944;
3:24 p. m.]

[File No. 70-917]

NEW ORLEANS PUBLIC SERVICE INC. AND
ELECTRIC POWER & LIGHT CORP.

SUPPLEMENTAL ORDER RELEASING JURISDIC-
TION OVER LEGAL FEES

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 7th day of November A. D., 1944.

The Commission having heretofore on July 18, 1944 issued its order herein granting a joint application and permitting to become effective a joint declaration of Electric Power & Light Corporation, a registered holding company, and its subsidiary, New Orleans Public Service, Inc., a public utility company, pursuant, inter alia, to section 6 (b) with respect to the issue and sale by New Orleans Public Service Inc. at competitive bidding, pursuant to Rule U-50, of \$34,500,000 principal amount of First Mortgage Bonds and 77,798 shares of \$100 par value Cumulative Preferred Stock, reserving, however, its jurisdiction with respect to all legal fees to be paid in connection with the proposed transactions; and

The record having been completed with respect to the legal services rendered by counsel for New Orleans Public Service Inc. in connection with the above-described transactions and by independent counsel for the purchasers of said securities; and it appearing that the legal fees of counsel for New Orleans Public Service Inc. previously estimated at \$35,000 have been finally determined to be \$30,000 and the fee of counsel for the purchasers of said securities having been determined to be \$17,500; and it also appearing to the Commission that such legal fees, under the circumstances of this proceeding, are not unreasonable:

It is hereby ordered, That jurisdiction over the payment of the legal fees to be paid in connection with the above-described transactions be, and the same hereby is, released.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 44-17456; Filed, Nov. 14, 1944;
3:24 p. m.]

No. 229—5

[File Nos. 59-17, 59-11, 54-25]

THE UNITED LIGHT AND POWER CO., ET AL.

NOTICE OF FILING AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa. on the 13th day of November A. D., 1944.

In the matter of The United Light and Power Company, The United Light and Railways Company, American Light & Traction Company, Continental Gas & Electric Corporation, United American Company, and Iowa-Nebraska Light and Power Company, Respondents; (File No. 59-17); The United Light and Power Company and its subsidiary companies, Respondents; (File No. 59-11); The United Light and Power Company, Applicant; (File No. 54-25); Application No. 20.

Notice is hereby given that an application or declaration (or both), designated as "Application No. 20," has been filed with the Commission pursuant to sections 11 and 12 of the Public Utility Holding Company Act of 1935 and Rules U-44 and U-46 by Continental Gas & Electric Corporation ("Continental"), a registered holding company and a subsidiary of The United Light and Railways Company and The United Light and Power Company, both registered holding companies, and Iowa-Nebraska Light and Power Company ("Iowa-Nebraska"), a subsidiary of Continental. All interested persons are referred to said document which is on file in the offices of this Commission for a statement of the transactions therein proposed, which are summarized as follows:

Continental proposes to sell to Central Electric & Gas Company, ("Central"), a non-affiliate, all of the outstanding securities of Iowa-Nebraska, consisting of 33,684 shares of common stock of the par value of \$100 each, for a base price of \$4,325,000, subject to adjustment at closing for the net current position of Iowa-Nebraska at the date the sale is consummated.

Prior to the sale of the common stock of Iowa-Nebraska and in order to avoid a large adjustment of the base price of \$4,325,000 to be paid by Central for such stock, Iowa-Nebraska proposes to declare and pay to Continental a cash dividend of \$600,000 out of paid-in-surplus. The paid-in surplus is to be made available by reversing certain entries setting up provisions for Federal income and excess profits taxes which provisions the management now believes to be excessive. As of September 7, 1943 Iowa-Nebraska's earned surplus deficit amounting to \$1,075,800 was written off against paid-in-surplus, in an equal amount, created for the purpose by a transfer to Iowa-Nebraska of 10,758 shares of its common stock from Continental (Holding Company Act Release No. 4497). The application indicates that since the proposed reduction of \$866,735.67 in the provisions for accrued Federal taxes relates to transactions prior to September 8, 1943, the applicants consider it proper that the total amount of the reduction in provisions for Federal taxes should be used to re-

store paid-in surplus rather than be credited to earned surplus.

The applicants request that the Commission issue its order exempting the sale of Iowa-Nebraska's stock from the competitive bidding requirements of Rule U-50 pursuant to paragraph (a) (5) thereof.

The Commission is also requested to issue an appropriate order and findings in connection with the proposed sale of common stock of Iowa-Nebraska, conforming to the requirements of sections 371 and 1808 of the Internal Revenue Code.

It appearing to the Commission that it is appropriate in the public interest and in the interest of investors and consumers that a hearing be held with respect to said matters and that said application or declaration shall not be granted or permitted to become effective except pursuant to further order of the Commission:

It is ordered, That a hearing on such matters under the applicable provisions of said act and rules of the Commission thereunder be held on November 29, 1944 at 10:00 a. m., e. w. t. at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pa. in such room as the hearing room clerk in room 318 will at that time advise. All persons desiring to be heard or otherwise wishing to participate in the proceedings should notify the Commission in the manner provided by its rules of practice, Rule XVII, on or before November 25, 1944.

It is further ordered, That Henry C. Lank or any officer or officers of the Commission designated by it for that purpose shall preside at the hearing in such matter. The officer so designated to preside at any such hearing is hereby authorized to exercise all the powers granted to the Commission under section 18 (c) of said act and to a trial examiner under the Commission's rules of practice.

It is further ordered, That without limiting the scope of the issues presented by said application or declaration, particular attention will be directed at the hearing to the following matters and questions:

1. Whether competitive conditions have been maintained in the negotiation of the proposed sale of the securities of Iowa-Nebraska and whether the proposed consideration to be received for such securities is reasonable.

2. Whether the proposed dividend to be paid by Iowa-Nebraska out of paid-in surplus is appropriate and not detrimental to the public interest and the interest of investors or consumers.

3. Whether the proposed accounting entries on the books of Iowa-Nebraska and Continental are appropriate and in conformity with the requirements of the act.

4. Whether the proposed sale of Iowa-Nebraska stock should be exempted from the competitive bidding requirements of Rule U-50.

5. Whether the fees and expenses in connection with the proposed transactions are reasonable.

6. What, if any, terms and conditions with respect to the proposed transactions

should be prescribed in the public interest or for the protection of investors or consumers.

7. Generally, whether, in any respect, the proposed transactions are detrimental to the public interest or to the interest of investors or consumers or will tend to circumvent any provisions of the act or the rules, regulations or orders promulgated thereunder.

It is further ordered, That notice of this hearing be given to the applicants-declarants and to all other persons; said notice to be given to the applicants-declarants, to the Nebraska State Railway Commission, to the Federal Power Commission and to the cities of Beatrice, Lincoln, and York, Nebraska, by registered mail, and to all other persons by general release of this Commission which shall be distributed to the press and mailed to the mailing list for releases issued under the Public Utility Holding Company Act of 1935, and by publication in the FEDERAL REGISTER.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 44-17458; Filed, Nov. 14, 1944;
3:24 p. m.]

[File No. 70-981]

KEYES FIBRE CO.

ORDER GRANTING APPLICATION FOR EXEMPTIONS

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 13th day of November A. D., 1944.

Keyes Fibre Company, a non-utility subsidiary of New England Public Service Company, a registered holding company, having filed an application and amendments pursuant to section 6 (b) of the Public Utility Holding Company Act of 1935 for exemption from the provisions of section 6 (a) of said act of the issue and sale of \$1,800,000 of First Mortgage Sinking Fund 4½% Bonds, Series A, dated October 1, 1944 and due October 1, 1959 and pursuant to paragraph (a) (5) of Rule U-50 promulgated under said act for exemption of such issue and sale from the competitive bidding requirements contained in paragraphs (b) and (c) of said Rule U-50;

A public hearing having been held after appropriate notice; and the Commission having considered the record and having entered its findings and opinion herein:

It is ordered, That said application as amended be and hereby is granted subject, however, to the terms and conditions prescribed by Rule U-24.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 44-17502; Filed, Nov. 15, 1944;
11:46 a. m.]

[File Nos. 70-725, 59-11, 59-17, and 54-25]
NORTHERN INDIANA PUBLIC SERVICE CO.,
ET AL.

ORDER PERMITTING WITHDRAWAL OF APPLICATION

At a regular session of the Securities and Exchange Commission, held at its

office in the City of Philadelphia, Pa., on the 13th day of November 1944.

In the matter of Northern Indiana Public Service Company, La Porte Heat Corporation, File No. 70-725; The United Light and Power Company, et al., La Porte Gas and Electric Company, File Nos. 59-11, 59-17, 54-25; Application No. 16.

Northern Indiana Public Service Company, a subsidiary of Clarence A. Southerland and Jay Samuel Hart, Trustees of the Estate of Midland Utilities Company, a registered holding company, having heretofore filed an application pursuant to section 6 (b) of the Public Utility Holding Company Act of 1935 with respect to the exemption from the provisions of section 6 (a) of the act of the issue and sale by it of \$1,400,000 principal amount of serial notes, having a maturity of seven years or less, the proceeds of such serial notes together with treasury funds to be used to finance the acquisition by it of the gas and electric properties of La Porte Gas and Electric Company; and

Northern Indiana Public Service Company having requested permission to withdraw said application, and having represented in said request that in lieu of said serial notes it will issue and sell \$1,200,000 principal amount of notes maturing and payable in not more than nine months from the date thereof, such notes not being part of a public offering and aggregating less than five per cent of the principal amount and par value of all the other securities of the company presently outstanding; and

The Commission having considered the request and it appearing that the withdrawal of the application filed pursuant to section 6 (b) of the act is consistent with the public interest; and that the provisions of sections 6 (a) and 7 of the act are inapplicable to the amended proposal for the issue and sale of said notes maturing nine months from the date thereof by virtue of the provisions of the first sentence of section 6 (b) of the act:

It is ordered, That the request of the applicant be and hereby is granted, and the application filed pursuant to section 6 (b) of the act for exemption from the provisions of section 6 (a) of the act of the issue and sale of \$1,400,000 principal amount of serial notes is hereby deemed withdrawn.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 44-17504; Filed, Nov. 15, 1944;
11:46 a. m.]

[File Nos. 812-192, 812-193 and 812-194]

PROVIDENTIA, LTD., ET AL.

NOTICE OF AND ORDER FOR HEARING; AND ORDER CONSOLIDATING PROCEEDINGS

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 14th day of November, A. D. 1944.

In the Matter of Providentia, Ltd., The Nineteen Corporation, Instoria, Inc., File Nos. 812-192, 812-193, 812-194.

Applications having been filed by Providentia, Ltd., The Nineteen Corporation

and Instoria, Inc., under and pursuant to section 6 (c) of the Investment Company Act of 1940, for orders granting an extension to November 30, 1945 of exemptions from all the provisions of the Investment Company Act heretofore granted to applicants and extended to November 30, 1944 by order of the Commission dated February 1, 1944.

It appearing to the Commission that said applications are related and present questions of law and fact common to each of said applications;

It is ordered, That the proceedings on the three applications be and the same hereby are consolidated;

It is further ordered, Pursuant to section 40 (a) of said act, that a hearing on the consolidated matter be held on November 24, 1944 at 10:00 a. m. eastern war time in Room 318 in the Securities and Exchange Commission Building, 18th and Locust Streets, Philadelphia 3, Pennsylvania;

It is further ordered, That Charles S. Lobingier, Esquire, or any other officer or officers of the Commission designated by it for that purpose shall preside at the hearing on this matter. The officer so designated is hereby authorized to exercise all the powers granted to the Commission under sections 41 and 42 (b) of the Investment Company Act of 1940 and to trial examiners under the Commission's rules of practice.

Notice of such hearing is hereby given to the applicants and to any other persons whose participation in such proceedings may be in the public interest or for the protection of investors.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 44-17505; Filed, Nov. 15, 1944;
11:46 a. m.]

[File No. 1-2729]

ROBERTS PUBLIC MARKETS, INC.

ORDER SETTING HEARING ON APPLICATION TO WITHDRAW FROM LISTING AND REGISTRATION.

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 14th day of November A. D. 1944.

The Roberts Public Markets, Inc., pursuant to section 12 (d) of the Securities Exchange Act of 1934 and Rule X-12D2-1 (b) promulgated thereunder, having made application to the Commission to withdraw its Capital Stock, \$2 Par Value, from listing and registration on the Los Angeles Stock Exchange;

The Commission deeming it necessary for the protection of investors that a hearing be held in this matter at which all interested persons be given an opportunity to be heard;

It is ordered, That the matter be set down for hearing at 10:00 a. m. on Friday, December 8, 1944, at the office of the Securities and Exchange Commission, 312 North Spring Street, Los Angeles, California, and continue thereafter at such times and places as the Commission or its officer herein designated shall determine, and that general notice thereof be given; and

It is further ordered, That John G. Clarkson, an officer of the Commission, be and he hereby is designated to administer oaths and affirmations, subpoena witnesses, compel their attendance, take evidence, and require the production of any books, papers, correspondence, memoranda or other records deemed relevant or material to the inquiry, and to perform all other duties in connection therewith authorized by law.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 44-17503; Filed, Nov. 15, 1944.
11:46 a. m.]

UNITED STATES COAST GUARD.

APPROVAL AND TERMINATION OF APPROVAL OF EQUIPMENT

In the listing of approval and termination of approval in Federal Register document 44-16686 published in the FEDERAL REGISTER on November 1, 1944 (9 F.R. 13018), the listing under "Disengaging Apparatus for Lifeboats" for the Rottmer type releasing gear submitted by Welin Davit and Boat Corporation shall be corrected by changing the figure "8,280 pounds" to "8,380 pounds" for working load per hook.

Dated: November 15, 1944.

L. T. CHALKER,
Rear Admiral, U. S. C. G.,
Acting Commandant.

[F. R. Doc. 44-17469; Filed, Nov. 15, 1944;
11:02 a. m.]

WAR FOOD ADMINISTRATION.

Commodity Credit Corporation.

[1944 CCC Wheat Export Form 1]

WHEAT EXPORT PROGRAM

Announcement is hereby made that the Commodity Credit Corporation (hereinafter called "Commodity"), pursuant to the provisions of section 21 (c) of the Surplus Property Act of 1944 (P. L. 457, 78th Cong., 2d Sess., approved October 3, 1944), will sell wheat for export, subject to the terms and conditions stated herein:

1. *Export prices and export differentials.* Commodity will announce, beginning on November 15, 1944, at 3:00 o'clock p. m., e. w. t., on each business day except Saturday, and at 1:45 o'clock p. m., e. w. t., on Saturday, export differentials for specified ports to be used for the purposes hereof. Differentials so announced shall remain in effect until 2:15 o'clock p. m., e. w. t., on the next business day, unless such next business day is Saturday, in which case such differentials shall remain in effect until 1:00 o'clock p. m., e. w. t. Export prices for wheat, which prices will be used for the purposes of this announcement, shall be determined by the appropriate Regional Director on the basis of the current market price, less the export differential.

2. *Acceptance by exporter.* (a) Any exporter may, as herein provided, accept

Commodity's offer to sell wheat for export at the export price determined in accordance with paragraph 1 hereof in effect at the time the acceptance is given. Each such acceptance shall be in substantially the following form, and shall be sent to the appropriate Regional Director of Commodity:

The undersigned exporter agrees to purchase from Commodity for export ----- bushels of ----- wheat at ----- (class, grade, and quality) ----- per bushel in store at ----- ----- to be exported from ----- (port)

This acceptance is subject to all the terms and conditions of 1944 CCC Wheat Export Form 1.

Name of Exporter
By -----

(Title)

Acceptances shall be given orally, by telephone, by telegraphic day letter, or by straight telegram, and all such acceptances shall be confirmed in duplicate by mail on the day the acceptance is given. Such confirmations shall be in substantially the form of the acceptance set out above in this paragraph, but shall also contain a statement in substantially the following form, stating the manner in which the acceptance confirmed thereby was given and the time that such acceptance was given:

This confirms ----- accept-
(oral, telephonic, or
telegraphic)
ance given -----
(time and date)

An acceptance by telegraph shall be deemed to have been given when filed with the telegraph company. The duplicate copy of the confirmation shall be returned to the exporter with the statement "Accepted by Commodity" and a statement of the action taken under subparagraph (b) below.

(b) In case the exporter's acceptance is given orally or by telephone, Commodity shall notify the exporter immediately whether it will or will not sell to the exporter wheat from stocks owned by Commodity. In case the acceptance is made by telegraph, Commodity shall file within one hour of the time exporter's acceptance is received, a telegraphic notification to the exporter whether Commodity will or will not sell wheat from its own stocks to the exporter. If Commodity has notified exporter that it will not sell the exporter wheat, Commodity shall be deemed to have purchased wheat from the exporter's stocks and to have sold such wheat back to the exporter, as provided in paragraph 4 hereof.

(c) No acceptance shall be valid to the extent that the quantity of wheat specified therein, plus the quantity specified in acceptances theretofore given hereunder, exceeds the quantity of wheat covered by the exporter's eligible export sales at the time such acceptance is given by more than 500,000 bushels or such other quantity as may be specified by Commodity: *Provided*, That no change in the quantity specified by Commodity shall affect the validity of an

acceptance given before such change. Each acceptance given hereunder shall constitute the exporter's certification that the acceptance is fully valid under the foregoing sentence, but the validity of the acceptance shall be determined by Commodity.

(d) In the event Commodity determines and announces that any class, grade, or quality of wheat will be needed for domestic use, no acceptance given thereafter which specifies such class, grade, or quality shall create any obligation on the part of Commodity hereunder. Such class, grade, or quality of wheat shall not be exported by the exporter after any such announcement, unless otherwise authorized by Commodity.

3. *Payment for and delivery of wheat sold from Commodity's stocks—*(a) *Wheat sold "in store."* In the event wheat from Commodity's stocks is sold "in store," Commodity will, as promptly as possible and in any event within 15 days of the date the exporter's acceptance is received by Commodity, present to the exporter for acceptance and payment a sight draft for the purchase price of the wheat, accompanied by warehouse receipts representing the wheat and properly endorsed so as to vest title in the exporter. Commodity shall have no responsibility for the failure of the warehouseman to deliver wheat as required by the warehouse receipts. Outcharges shall be paid by the exporter. All warehouse and other charges with respect to the wheat shall be for the account of the exporter from the fifth day after the date of the draft for the purchase price.

(b) *Wheat sold f. o. b. carrier.* In the event wheat from Commodity's stocks is sold f. o. b. carrier at the storage location, Commodity will, in accordance with the shipping instructions of the exporter, load and ship the wheat as promptly as possible and will present to the exporter for acceptance and payment a sight draft, accompanied by bills of lading covering the wheat, for the purchase price of the wheat (which shall include the outcharge) plus all charges which are for the account of, or payable by, the exporter. All warehouse and other charges which accrue on or after the eleventh day from the date of the exporter's acceptance and on or prior to the fifth day after the shipping date specified in the shipping instructions shall be for the account of the exporter. In the event such wheat is stored under the Uniform Grain Storage Agreement between the Secretary of Agriculture and grain warehousemen, warehouse charges shall be at the rates specified in such agreement regardless of whether the wheat is on free time. In the event the wheat is shipped later than the eleventh day after the date of the exporter's acceptance, the exporter shall pay to Commodity, in addition to the purchase price and in addition to all charges which are for the account of the exporter, and there shall be included in the amount of the draft, a charge equal to interest at the rate of 3 percent per annum on the purchase price computed from the eleventh day after the date of the exporter's acceptance to the fifth day after the shipping date specified in the

shipping instructions. The official loading weights and grades, subject to Federal appeal, shall be conclusive. In the event the exporter does not take delivery of the wheat within 180 days of the date of the acceptance, or such extension thereof as Commodity may approve, he shall immediately pay to Commodity as liquidated damages an amount equal to 15 cents per bushel of such wheat and, upon the making of such payment, the agreement to buy such wheat shall be deemed to have been rescinded.

4. *Purchase and sale of wheat from exporter's stocks.* In the event that Commodity notifies the exporter, as provided in paragraph 2 (b) hereof, that it elects not to sell to the exporter wheat from stocks owned by Commodity, Commodity shall be deemed to have purchased from the exporter's stocks at the market price, as determined by Commodity, wheat specified in the exporter's acceptance and, immediately after such purchase, to have sold such wheat back to the exporter at the export price for such wheat determined in accordance with paragraph 1 hereof. Such market price and such export price shall be those in effect at the time the exporter's acceptance is given. Settlement for the difference between the purchase and sale prices (i. e., the amount of the export differential) shall be made upon the submission to an approval by Commodity of proof of exportation of wheat equal in quantity to the wheat which Commodity is deemed to have purchased from and sold back to the exporter, together with such other documents as Commodity may require.

5. *Export requirement.* (a) Except as is otherwise provided in this paragraph, the exporter must, except as otherwise approved by Commodity, within 180 days from the date of his acceptance, export from the port specified in the acceptance or from any other port to which, at the time of his acceptance, the same export differential was applicable a quantity of wheat produced in the continental United States equal to the quantity of wheat specified in such acceptance. The exporter shall, within 30 days after exporting wheat pursuant to the requirements hereof, furnish to Commodity proof of such exportation.

(b) In the event the exporter does not furnish to Commodity, with respect to wheat sold to the export from Commodity's stocks, within 210 days from the date of his acceptance, proof of exportation within 180 days from the date of his acceptance of an equal quantity of wheat, the purchase price of the wheat shall be the ceiling price of the wheat on the date of the exporter's acceptance or, if no ceiling price was then in effect, the parity price (adjusted for grade, location, and season), as determined by Commodity, or the market price, as determined by Commodity, whichever is higher, and the exporter shall thereupon pay to Commodity the difference between the amount theretofore paid by him for the wheat (i. e., the export price) and such ceiling, parity, or market price.

(c) In the event the exporter does not furnish to Commodity, with respect to wheat deemed to have been purchased by Commodity from the exporter's stocks

and sold back to the exporter, as provided in paragraph 4 hereof, within 210 days from the date of his acceptance, proof of exportation within 180 days from the date of his acceptance, of an equal quantity of wheat, the exporter shall immediately pay to Commodity as liquidated damages 15 cents per bushel of such wheat.

(d) Notwithstanding the foregoing provisions of this paragraph, if Commodity determines that the exporter was prevented from exporting wheat by act of God, act of Government, strikes, or other cause beyond the exporter's control, and Commodity does not grant an extension of time within which exportation may be made, the exporter may, in lieu of exporting wheat as required by paragraph (a) or of making payment to Commodity as provided by subparagraph (b) or (c) subject to the approval of Commodity: (i) Sell to Commodity, at the lowest export price at which he has purchased or agreed to purchase wheat hereunder from Commodity, basis the same port, wheat produced in the continental United States equal in quantity and quality to that specified in the acceptance; or (ii) export from another port a quantity of wheat produced in the continental United States equal to the quantity of wheat specified in the acceptance and furnish proof of such exportation. Upon the exportation of wheat from another port and proof of such exportation, as provided in (ii) above, an adjustment in the purchase price of the wheat to the exporter shall be made, based upon the difference between the export differential applicable to the wheat at the time the acceptance was given at the port specified therein and the export differential applicable to the wheat at the same time at the port from which exportation was made, and payment shall be made accordingly by the exporter to Commodity or by Commodity to the exporter.

(e) Proof of exportation of wheat at any port shall be applied against the exporter's acceptance hereunder which specifies such port or any other port to which the same export differential applies and which is identified with the export sale contract pursuant to which such exportation was made. Acceptances shall be identified with such export sale contracts on the basis of the first-in first-out rule; i. e., the first acceptance given shall be identified with the sale first reported pursuant to 8 (b) hereof.

6. *Proof of exportation.* Proof of exportation shall consist of: (a) In the case of wheat exported by water, a copy, certified by the exporter as true and correct, of either (i) an on-board ship bill of lading or (ii) an export bill of lading, either of which must show the net weight of the wheat, the date and place of loading, name of vessel, and name and address of the exporter and the consignee, together with the water carrier's certification that the wheat described therein was actually loaded on vessel; (b) in the case of wheat exported by rail, an authenticated landing certificate issued by an official of the country to which the wheat was exported or an authenticated certificate issued by the United

States Collector of Customs at a border point showing the net weight of the wheat, and name and address of the exporter and of the consignee. In addition to the foregoing, the exporter shall furnish such additional proof of exportation as may be required by Commodity.

7. *Countries to which exportation may be made.* Except as may be otherwise announced by Commodity, the exportation requirements hereof will be satisfied by proof of exportation to any foreign country or to the Philippine Islands. The exporter, however, will satisfy such exportation requirement by proof of exportation to any country or area exportation to which would have, at the time of his acceptance, satisfied such exportation requirement. Notwithstanding the foregoing provisions of this paragraph, however, in the event that any allocation or export quota for any country established by, or pursuant to determinations of, the Combined Food Board, the International Wheat Council, or other international organization in which the Government of the United States is represented, has been exhausted, proof of exportation to such country will not be accepted hereunder until a further allocation or quota is established for such country. Nothing in this announcement shall be deemed to authorize the exportation of wheat in violation of the Trading with the Enemy Act, as amended, or any other statute, or any order or regulation issued pursuant thereto.

8. *Reports by exporters.* (a) Each exporter shall, prior to or at the time of giving his first acceptance hereunder, submit to Commodity at the South Agriculture Building, Washington 25, D. C., a certified statement of his unfilled export sales contracts for wheat as of the date of this announcement. A statement of the cancellation of any such contracts shall also be submitted to Commodity within 5 days after cancellation. Such statements shall show, with respect to such contracts and cancellations, the quantity of the wheat, the destination of the wheat, and the time within which delivery is required to be made by the exporter.

(b) Each exporter shall report by telegraphic day letter or straight telegram to Commodity at the South Agriculture Building, Washington 25, D. C., within 24 hours after the making thereof, each export sale contract for wheat made by him on or after the date of this announcement, and shall state in such wire the Regional Director to whom his acceptance has been or will be submitted, the quantity of wheat, destination country, and expected date of exportation. The exporter shall, within 5 days after such export sale contract is reported, confirm such wire by letter. Cancellations of any such contracts shall be reported and confirmed in like time and manner. Each exporter shall also report to Commodity at Washington, D. C., within 5 days after such exportation, all wheat which is exported after the date of this announcement but which is not sold or applied against export sale contracts made after such date.

(c) Proof of exportation, and any documents required in connection therewith, shall be submitted by the exporter

to the Regional Director of Commodity to whom the acceptance was submitted.

9. *Exportation of wheat under contract prior to announcement.* Each exporter who gives an acceptance hereunder shall be deemed thereby to agree that he will export, in addition to the quantity of wheat which he is otherwise required to export hereunder, a quantity of wheat equal to the quantity covered by his unfilled export sale contracts as of the date of this announcement. Each such acceptance shall constitute the exporter's certification that he has not canceled, or obtained the cancellation of, any unfilled export sale contract for wheat with the expectation or intent of thereafter selling to the same purchaser wheat with respect to which he has obtained or will obtain the benefits of this program.

10. *Bond.* The exporter shall, prior to or at the time of giving his first acceptance hereunder, furnish to Commodity a bond, in such form as Commodity may prescribe, in an aggregate amount of at least \$50,000. The surety on such bond must be a corporate surety approved by Commodity. Commodity may, by notice at any time, require that the amount of such bond be increased to an aggregate amount of not more than \$250,000.

11. *Records and reports.* The exporter shall make available to Commodity, from time to time, as Commodity may request, such of exporter's and such of his affiliates' and subsidiaries' books, records, and accounts, and other documents and papers as Commodity may deem pertinent to any transaction hereunder. The exporter shall furnish to Commodity such information and reports as Commodity may from time to time request, subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942. The specific reporting requirements hereof have been approved by the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

12. *Set-off.* Commodity may set off against any amount owed by it to the exporter any amount owed by the exporter to it.

13. *Assignment.* The exporter shall not, without the written consent of Commodity, assign any right hereunder of the exporter against Commodity.

14. *Inability to perform.* Commodity shall not be responsible for any failure to deliver, or delay in delivery of, wheat due to any cause beyond its control.

15. *Exclusion from program.* If Commodity determines that any exporter has not acted in good faith in connection with the submission of any acceptance or claim hereunder or has failed to discharge fully any obligation assumed by him in connection with this program, such exporter may be denied the privilege of giving further acceptances hereunder.

16. *Definitions.* (a) "Exporter" means any individual, corporation, partnership, association, or other business entity engaged in the business of exporting wheat.

(b) "Wheat" means wheat produced in the continental United States.

(c) "Bushel" means 60 pounds of wheat exclusive of dockage.

(d) "Regional Director" means the Regional Director of Commodity Credit

Corporation (at Minneapolis, Kansas City, Chicago, or Portland, Oregon) who is responsible for handling the kind of wheat specified in the exporter's acceptance. The Regional Directors are responsible as stated below for handling the various kinds of wheat: Minneapolis Regional Director, all Class I Hard Red Spring, Class II Durum, wheat and Class III Red Durum, except as otherwise provided for; Portland, Oregon, Regional Director, all wheat which is to be exported from ports of Washington, Oregon, and California; Kansas City Regional Director, all Class IV, Hard Red Winter Wheat, except as otherwise provided; Chicago Regional Director, all Class V, Soft Red Winter Wheat and other wheat not otherwise provided for. The addresses of the Regional Directors are as follows:

Regional Director, Commodity Credit Corporation, McKnight Building, Minneapolis 1, Minn.

Regional Director, Commodity Credit Corporation, Dwight Building, Kansas City 13, Mo.

Regional Director, Commodity Credit Corporation, 208 South La Salle Street, Chicago 4, Ill.

Regional Director, Commodity Credit Corporation, Artisans Building, Portland 5, Oreg.

(e) "Ceiling price" means the maximum price (not including any markups or service charges), as determined by Commodity, at which, under regulations of the Office of Price Administration, or its successor, wheat of the particular quality and location may be sold and delivered.

(f) "Port" means United States seaboard port or border point.

(g) "Business day" means any day other than Sunday, and other than December 25, January 1, February 22, July 4, Labor Day, and the fourth Thursday in November.

(h) "Eligible export sale" means an agreement to sell wheat for permanent physical removal from the continental United States to a country to which, at the time such agreement is made, exportation would satisfy the requirements hereof which is entered into during the time this program is in effect, which is reported to Commodity pursuant to paragraph 8 (b) hereof, and which is not canceled.

17. *Revocation, amendment.* This announcement may be revoked or amended by Commodity at any time by announcement to such effect or by filing notice of such revocation or amendment with the Division of Federal Register, National Archives, but such revocation or amendment shall not affect any acceptance filed prior to the time such announcement is made or such notice of revocation or amendment is filed.

Dated this 13th day of November 1944.

[SEAL]

COMMODITY CREDIT
CORPORATION,
J. B. HUTTON,
President.

Attest:

Norine J. Fauble,
Assistant Secretary.

[F. R. Doc. 44-17486; Filed, Nov. 15, 1944;
11:40 a. m.]

[1944 CCC Wheat Flour Export Form 1]

WHEAT FLOUR EXPORT PROGRAM

Announcement is hereby made that the Commodity Credit Corporation (hereinafter called "Commodity"), pursuant to the provisions of section 21 (c) of the Surplus Property Act of 1944 (P. L. 457, 78th Cong., 2d Sess., approved October 3, 1944), will sell wheat to be exported in the form of flour, subject to the terms and conditions stated herein:

1. *Export prices and export differentials for wheat exported as flours—(a) Export differentials.* The amounts of the export differentials to be used for the purposes hereof shall be the amounts of the export differentials as defined in and established pursuant to paragraph 1 of 1944 CCC Wheat Export Form 1 (Wheat Export Program, Announcement by Commodity Credit Corporation) issued on the date of this announcement, minus the amount of the Flour Production Payment in effect on the date of the exporter's acceptance under Regulation No. 4 of the Defense Supplies Corporation and any amendments thereto, and minus any amount payable by the War Food Administration under any other program with respect to the exportation of the flour, proof of exportation of which is furnished hereunder.

(b) *Export prices.* The prices at which Commodity will sell wheat for exportation in the form of flour shall be the export prices as defined in and established pursuant to paragraph 1 of such 1944 CCC Wheat Export Form 1, plus the amount of the Flour Production Payment in effect on the date of the exporter's acceptance under Regulation No. 4 of the Defense Supplies Corporation and any amendments thereto, plus any amount payable by the War Food Administration under any other program with respect to the exportation of the flour proof of exportation of which is furnished hereunder.

(c) Paragraph 1 of 1944 CCC Wheat Export Form 1 reads as follows:

Export prices and export differentials. Commodity will announce, beginning on November 15, 1944, at 3:00 o'clock p. m., e. w. t., on each business day except Saturday, and at 1:45 o'clock p. m., e. w. t., on Saturday, export differentials for specified ports to be used for the purposes hereof. Differentials so announced shall remain in effect until 2:15 o'clock p. m., e. w. t., on the next business day, unless such next business day is Saturday, in which case such differentials shall remain in effect until 1:00 o'clock p. m., e. w. t. Export prices for wheat, which prices will be used for the purposes of this announcement, shall be determined by the appropriate Regional Director on the basis of the current market price, less the export differential.

2. *Acceptance by exporter.* (a) Any exporter may, as herein provided, accept Commodity's offer to sell wheat for export in the form of flour at the export price, determined in accordance with paragraph 1 (b) hereof, in effect at the time the acceptance is given. Each such acceptance shall be in substantially the following form, and shall be sent to the appropriate Regional Director of Commodity:

The undersigned exporter agrees to purchase from Commodity for export in the form of flour ----- bushels of

----- wheat at -----
 (class, grade and quality)
 per bushel in store at ----- to be
 exported from ----- This
 (port)
 acceptance is subject to all the terms and
 conditions of 1944 CCC Wheat Flour Export
 Form 1.

 (Name of Exporter)
 By -----

 (Title)

Acceptances shall be given orally, by telephone, by telegraphic day letter, or by straight telegram, and all such acceptances shall be confirmed in duplicate by mail on the day the acceptance is given. Such confirmation shall be in substantially the form of the acceptance set out above in this subparagraph, but shall also contain a statement in substantially the following form, stating the manner in which the acceptance confirmed thereby was given and the time that such acceptance was given:

This confirms -----
 (oral, telephonic or telegraphic)
 acceptance given -----
 (time and date)

An acceptance by telegraph shall be deemed to have been given when filed with the telegraph company. The duplicate copy of the confirmation shall be returned to the exporter with the statement "Accepted by Commodity" and a statement of the action taken under subparagraph (b) below.

(b) In case the exporter's acceptance is given orally or by telephone, Commodity shall notify the exporter immediately whether it will or will not sell to the exporter wheat from stocks owned by Commodity. In case the acceptance is made by telegraph, Commodity shall file within one hour of the time exporter's acceptance is received, a telegraphic notification to the exporter whether Commodity will or will not sell wheat from its stocks to the exporter. If Commodity has notified exporter that it will not sell the exporter wheat from its stocks, Commodity shall be deemed to have purchased wheat from the exporter's stocks and to have sold such wheat back to the exporter, as provided in paragraph 4 hereof.

(c) No acceptance shall be valid to the extent that the quantity of wheat specified therein, plus the quantity specified in acceptances theretofore given hereunder, exceeds the quantity of wheat equivalent to the quantity of flour covered by the exporter's eligible export sales at the time such acceptance is given by more than 50,000 bushels or such other quantity as may be specified by Commodity: *Provided*, That no change in the quantity specified by Commodity shall affect the validity of an acceptance given before such change. Each acceptance given hereunder shall constitute the exporter's certification that the acceptance is fully valid under the foregoing sentence, but the validity of the acceptance shall be determined by Commodity.

(d) In the event Commodity determines and announces that any class, grade, or quality of wheat will be needed for domestic use, no acceptance given thereafter which specifies such class,

grade, or quality shall create any obligation on the part of Commodity hereunder. The exporter shall not, after any such announcement, use such class, grade, or quality of wheat in the manufacture of flour to be exported, unless otherwise authorized by Commodity.

3. *Payment for and delivery of wheat sold from Commodity's stocks*—(a) *Wheat sold "in store."* In the event wheat from Commodity's stocks is sold "in store", Commodity will, as promptly as possible and in any event within 15 days of the date the exporter's acceptance is received by Commodity, present to the exporter for acceptance and payment a sight draft for the purchase price of the wheat, accompanied by warehouse receipts representing the wheat and properly endorsed so as to vest title in the exporter. Commodity shall have no responsibility for the failure of the warehouseman to deliver wheat as required by the warehouse receipts. Outcharges shall be paid by the exporter. All warehouse and other charges with respect to the wheat shall be for the account of the exporter from the fifth day after the date of the draft for the purchase price.

(b) *Wheat sold f. o. b. carrier.* In the event wheat from Commodity's stocks is sold f. o. b. carrier at the storage location, Commodity will, in accordance with the shipping instructions of the exporter, load and ship the wheat as promptly as possible and will present to the exporter for acceptance and payment a sight draft, accompanied by bills of lading covering the wheat, for the purchase price of the wheat (which shall include the outcharge), plus all charges which are for the account of, or payable by, the exporter. All warehouse and other charges which accrue on or after the eleventh day from the date of the exporter's acceptance and on or prior to the fifth day after the shipping date specified in the shipping instructions shall be for the account of the exporter. In the event such wheat is stored under the Uniform Grain Storage Agreement between the Secretary of Agriculture and grain warehouseman, warehouse charges shall be at the rates specified in such agreement regardless of whether the wheat is on free time. In the event the wheat is shipped later than the eleventh day after the date of the exporter's acceptance, the exporter shall pay to Commodity, in addition to the purchase price and in addition to all charges which are for the account of the exporter, and there shall be included in the amount of the draft, a charge equal to interest at the rate of 3 percent per annum on the purchase price computed from the eleventh day after the date of the exporter's acceptance to the fifth day after the shipping date specified in the shipping instructions. The official loading weights and grades, subject to Federal appeal, shall be conclusive. In the event the exporter does not take delivery of the wheat within 180 days from the date of the acceptance, or such extension thereof as Commodity may approve, he shall immediately pay to Commodity as liquidated damages, an amount equal to 15 cents per bushel of such wheat and upon the making of such payment, the agree-

ment to buy such wheat shall be deemed to have been rescinded.

4. *Purchase and sale of wheat from exporter's stocks.* In the event that Commodity notifies the exporter, as provided in paragraph 2 (b) hereof, that it elects not to sell to the exporter wheat from stocks owned by Commodity, Commodity shall be deemed to have purchased from the exporter's stocks at the market price, as determined by Commodity, the wheat specified in the exporter's acceptance and, immediately after such purchase, to have sold such wheat back to the exporter at the export price for such wheat, determined in accordance with paragraph 1 (b) hereof. Such market price and such export price shall be those in effect at the time the exporter's acceptance is given. Settlement for the difference between the purchase and sale prices (i. e., the amount of the export differential) shall be made upon the submission to and approval by Commodity of proof of exportation of flour equivalent in quantity to the wheat which Commodity is deemed to have purchased from and sold back to the exporter, together with such other documents as Commodity may require.

5. *Export requirement.* (a) Except as is otherwise provided in this paragraph, the exporter must, except as otherwise approved by Commodity, within 180 days from the date of his acceptance, export from the port specified in the acceptance or from any other port to which, at the time of his acceptance, the same export differential was applicable a quantity of flour made from wheat produced in the continental United States equivalent to the quantity of wheat specified in such acceptance. The exporter shall, within 30 days after exporting flour pursuant to the requirements hereof, furnish to Commodity proof of such exportation.

(b) In the event the exporter does not furnish to Commodity, with respect to wheat sold to the exporter from Commodity's stocks, within 210 days from the date of his acceptance, proof of exportation within 180 days from the date of his acceptance of an equivalent quantity of flour, the purchase price of the wheat shall be the ceiling price of the wheat on the date of the exporter's acceptance or, if no ceiling price was then in effect, the parity price (adjusted for grade and location, and season), as determined by Commodity, or the market price, as determined by Commodity, whichever is higher, and the exporter shall thereupon pay to Commodity the difference between the amount theretofore paid by him for the wheat (i. e., the export price) and such ceiling, parity, or market price.

(c) In the event the exporter does not furnish to Commodity, with respect to wheat deemed to have been purchased by Commodity from the exporter's stocks and sold back to the exporter, as provided in paragraph 4 hereof, within 210 days from the date of his acceptance, proof of exportation within 180 days from the date of his acceptance of an equivalent quantity of flour, the exporter shall immediately pay to Commodity as liquidated damages 15 cents per bushel of such wheat.

(d) Notwithstanding the foregoing provisions of this paragraph, if Commodity determines that the exporter was prevented from exporting flour by act of God, act of Government, strikes, or other cause beyond the exporter's control, and Commodity does not grant an extension of time within which exportation may be made, the exporter may, in lieu of exporting flour as required by subparagraph (a) or of making payment to Commodity as provided by subparagraph (b) or (c), subject to the approval of Commodity: (i) sell to Commodity, at the lowest export price at which he has purchased or agreed to purchase wheat hereunder from Commodity, basis the same port, wheat produced in the continental United States equivalent in quantity and quality to that specified in the acceptance; or (ii) export from another port a quantity of flour made from wheat produced in the continental United States equivalent to the quantity of wheat specified in the acceptance and furnish proof of such exportation. Upon the exportation of flour from another port and proof of such exportation, as provided in (ii), above, an adjustment in the purchase price of the wheat to the exporter shall be made, based upon the difference between the export differential applicable to the wheat at the time the acceptance was given at the port specified therein and the export differential applicable to the wheat at the same time at the port from which exportation was made, and payment shall be made accordingly by the exporter to Commodity or by Commodity to the exporter.

(e) Proof of exportation of flour at any port shall be applied against the exporter's acceptance hereunder which specifies such port or any other port to which the same export differential applies and which is identified with the export sale contract pursuant to which such exportation was made. Acceptances shall be identified with such export sale contracts on the basis of the first-in first-out rule; i. e., the first acceptance given shall be identified with the sale first reported pursuant to 8 (b) hereof.

6. *Proof of exportation.* Proof of exportation shall consist of: (a) in the case of flour exported by water, a copy, certified by the exporter as true and correct of either (i) an on-board ship bill of lading or (ii) an export bill of lading, either of which must show the net weight of the flour, the date and place of loading, name of vessel, and name and address of the exporter and the consignee, together with the water carrier's certification that the wheat described therein was actually loaded on vessel; (b) in the case of flour exported by rail, an authenticated landing certificate issued by an official of the country to which the flour was exported or an authenticated certificate issued by the United States Collector of Customs at a border point showing the net weight of the flour, and name and address of the exporter and of the consignee. In addition to the foregoing, the exporter shall furnish such additional proof of exportation as may be required by Commodity.

7. *Countries to which exportation may be made.* Except as may be otherwise announced by Commodity, the exportation

requirements hereof will be satisfied by proof of exportation to any foreign country or to the Philippine Islands. The exporter, however, will satisfy such exportation requirement by proof of exportation to any country or area exportation to which would have, at the time of his acceptance, satisfied such exportation requirement. Notwithstanding the foregoing provisions of this paragraph, however, in the event that any allocation or export quota for any country established by, or pursuant to determinations of, the Combined Food Board, the International Wheat Council or other international organization in which the Government of the United States is represented, has been exhausted, proof of exportation to such country will not be accepted hereunder until a further allocation or quota is established for such country. Nothing in this announcement shall be deemed to authorize the exportation of flour in violation of the Trading with the Enemy Act, as amended, or any other statute, or any order or regulation issued pursuant thereto.

8. *Reports by exporters.* (a) Each exporter shall, prior to or at the time of giving his first acceptance hereunder, submit to Commodity at the South Agriculture Building, Washington 25, D. C., a certified statement of his unfilled export sale contracts for flour as of the date of this announcement. A statement of the cancellation of any such contracts shall also be submitted to Commodity within 5 days after cancellation. Such statements shall show, with respect to such contracts and cancellations the quantity and kind of the flour, the destination of the flour, and the time within which delivery is required to be made by the exporter.

(b) Each exporter shall report by telegraphic day letter or straight telegram to Commodity at the South Agriculture Building, Washington 25, D. C., within 24 hours after the making thereof, each export sale contract for flour made by him on or after the date of this announcement and shall state in such wire the quantity and kind of flour, destination country, the Regional Director to whom his acceptance has been or will be submitted, and expected date of exportation. The exporter shall, within five days after such export sale contract is reported, confirm such wire by letter. Cancellations of any such contracts shall be reported and confirmed in like time and manner. Each exporter shall also report to Commodity at Washington, D. C., within five days after such exportation, all flour which is exported after the date of this announcement but which is not sold or applied against export sale contracts made after such date.

(c) Proof of exportation and any documents required in connection therewith shall be submitted by the exporter to the Regional Director of Commodity to whom the acceptance was submitted.

9. *Exportation of flour under contract prior to announcement.* Each exporter who gives an acceptance hereunder shall be deemed thereby to agree that he will export, in addition to the quantity of flour which he is otherwise required to export hereunder, a quantity of flour equal to the quantity covered by his unfilled

export sale contracts as of the date of this announcement. Each such acceptance shall constitute the exporter's certification that he has not canceled, or obtained the cancellation of, any unfilled export sale contract for flour with the expectation or intent of thereafter selling to the same purchaser flour with respect to which he has obtained or will obtain the benefits of this program.

10. *Bond.* The exporter shall, prior to or at the time of giving his first acceptance hereunder, furnish to Commodity a bond, in form prescribed by Commodity, in an aggregate amount of at least \$10,000. The surety on such bond must be a corporate surety approved by Commodity. Commodity may, by notice at any time, require that the amount of such bond be increased to an aggregate amount of not more than \$200,000.

11. *Records and reports.* The exporter shall make available to Commodity, from time to time, as Commodity may request, such of exporter's and such of his affiliates' and subsidiaries' books, records, and accounts, and other documents and papers as Commodity may deem pertinent to any transaction hereunder. The exporter shall furnish to Commodity such information and reports as Commodity may from time to time request, subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942. The specific reporting requirements hereof have been approved by the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

12. *Set-off.* Commodity may set-off against any amount owed by it to the exporter any amount owed by the exporter to it.

13. *Assignment.* The exporter shall not, without the written consent of Commodity, assign any right hereunder of the exporter against Commodity.

14. *Conversion factors.* For the purposes of this announcement 100 pounds of flour (other than whole wheat or Graham flour) shall be equivalent to 2.35 bushels of wheat and 100 pounds of whole wheat or Graham flour shall be equivalent to 1.79 bushels of wheat.

15. *Exclusion from program.* If Commodity determines that any exporter has not acted in good faith in connection with the submission of any acceptance or claim hereunder or has failed to discharge fully any obligation assumed by him in connection with this program, such exporter may be denied the privilege of giving further acceptances hereunder.

16. *Inability to perform.* Commodity shall not be responsible for any failure to deliver, or delay in delivery of, wheat due to any cause beyond its control.

17. *Definitions.* (a) "Exporter" means any individual, corporation, partnership, association, or other business entity engaged in the business of exporting flour.

(b) "Wheat" means wheat produced in the continental United States.

(c) "Bushel" means 60 pounds of wheat weighed before cleaning, but exclusive of dockage.

(d) "Regional Director" means the Regional Director of Commodity Credit Corporation (at Minneapolis, Kansas City, Chicago, or Portland, Oregon) who is re-

sponsible for handling the kind of wheat specified in the exporter's acceptance. The Regional Directors are responsible as stated below for handling the various kinds of wheat: Minneapolis Regional Director, all Class I Hard Red Spring, Class II Durum wheat and Class III Red Durum, except as otherwise provided for; Portland, Oregon Regional Director, all wheat with respect to which the flour is to be exported from ports of Washington, Oregon, and California; Kansas City Regional Director, all Class IV, Hard Red Winter Wheat, except as otherwise provided; Chicago Regional Director, all Class V, Soft Red Winter Wheat and other wheats not otherwise provided for. The addresses of the Regional Directors are as follows.

Regional Director, Commodity Credit Corporation, McKnight Building, Minneapolis 1, Minnesota.

Regional Director, Commodity Credit Corporation, Dwight Building, Kansas City 13, Missouri.

Regional Director, Commodity Credit Corporation, 208 South La Salle Street, Chicago 4, Illinois.

Regional Director, Commodity Credit Corporation, Artisans Buildings, Portland 5, Oregon.

(e) "Ceiling price" means the maximum price (not including any markups or service charges), as determined by Commodity, at which, under regulations of the Office of Price Administration, or its successor, wheat of the particular quality and location may be sold and delivered.

(f) "Port" means United States seaboard port or border point.

(g) "Business day" means any day other than Sunday, and other than December 25, January 1, February 22, July 4, Labor Day, and the fourth Thursday in November.

(h) "Flour" means flour from wheat, farina, and semolina, made from wheat produced in the continental United States and as defined in paragraphs (6), (13), and (15) of section 16 (a) of Revised Maximum Price Regulation No. 296 issued by the Office of Price Administration, as amended, or as it may be amended or revised from time to time. Flour shall not include wheat products ground for feed for other than human consumption, nor wheat products produced during a continuing process of manufacturing processed wheat products other than flour or flour mixes.

(i) "Eligible export sale" means an agreement to sell flour, for permanent physical removal from the continental United States to a country to which, at the time such agreement is made, exportation would satisfy the exportation requirement hereof, which is entered into during the time this program is in effect, which is reported to Commodity pursuant to subparagraph 8 (b) hereof, and which is not canceled.

18. *Revocation, amendment.* This announcement may be revoked or amended by Commodity at any time by announcement to such effect or by filing notice of such revocation or amendment with the Division of the Federal Register, **National Archives**, but such revocation or amendment shall not affect any acceptance filed prior to the time such announcement is made or such notice of revocation or amendment is filed.

Dated this 13th day of November 1944.

[SEAL]

COMMODITY CREDIT CORPORATION,

By J. B. HUTSON,
President.

Attest:

NORINE J. FAUBLE,
Assistant Secretary.

[F. R. Doc. 44-17487; Filed, Nov. 15, 1944;
11:40 a. m.]

WAR MANPOWER COMMISSION.

CEDAR RAPIDS, IOWA

MINIMUM WARTIME WORKWEEK

Designation of the Cedar Rapids, Iowa, labor market area as subject to Executive Order No. 9301.

By virtue of the authority vested in me as Regional Manpower Director of Region No. VIII by § 903.2 of War Manpower Commission Regulation No. 3, "Minimum Wartime Workweek of 48 Hours" (8 F.R. 7225), and having found that such action will aid in alleviating labor shortages which are impeding the war effort, I hereby designate the Cedar Rapids labor market area as subject to the provisions of Executive Order No. 9301.

1. For the purposes of this designation, the Cedar Rapids labor market area shall include: The County of Linn, Iowa.

2. The effective date of this designation is December 1, 1944.

3. Not later than the effective date, each employer in the Cedar Rapids, Iowa, Area shall, in accordance with War Manpower Commission Regulation No. 3:

(a) Extend to a minimum wartime workweek of 48 hours, the workweek of any of his workers whose workweek can be so extended without involving the release of any worker;

(b) If extension of the workweek of any of his workers to a minimum wartime workweek of 48 hours would involve the release of any workers, submit to the Area Manpower Director in the area in which the employer is located the number and occupational classification of the workers whose release would be involved, together with proposed schedules for their release, and thereafter extend such workweek when and as directed in schedules authorized by the War Manpower Commission;

(c) File an application for a minimum wartime workweek of less than 48 hours for those workers engaged in employment in which the employer claims that a workweek of 48 hours would be impracticable in view of the nature of the operations, would not contribute to the reduction of labor requirements, or would conflict with any Federal, State or local law or regulation limiting hours of work.

Date of issuance: November 10, 1944.

F. M. RARIG, Jr.,
Regional Director.

[F. R. Doc. 44-17463; Filed, Nov. 15, 1944;
9:31 a. m.]

WAR PRODUCTION BOARD.

[C-226]

MOLLY MOSKOWITZ

CONSENT ORDER

Molly Moskowitz, 7807 Broadway Avenue, Cleveland, Ohio, operating a cafe at and occupying as a residence the above premises, is charged by the War Production Board with having begun and carried on construction in remodeling the above premises about August 1, 1944, and thereafter, at an estimated cost of about \$1800 without authorization of the War Production Board, exceeding the limit of \$200 permitted by Conservation Order L-41, and therefore in violation of it.

Molly Moskowitz admits the violation and has consented to the issuance of this order.

Wherefore, upon the agreement and consent of Molly Moskowitz, the Regional Compliance Chief and the Regional Attorney, and upon the approval of the Compliance Commissioner, *It is hereby ordered*, That:

(a) Neither Molly Moskowitz, her successors or assigns, nor any other person, shall do any construction on the premises owned by her and located at 7807 Broadway Avenue, Cleveland, Ohio, including putting up or altering the structure located on the said premises, unless hereafter specifically authorized in writing by the War Production Board.

(b) Nothing contained in this order shall be deemed to relieve Molly Moskowitz, her successors or assigns, from any restrictions, prohibition or provision contained in any other order or regulation of the War Production Board, except in so far as the same may be inconsistent with the provisions hereof.

Issued this 14th day of November 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-17459; Filed, Nov. 14, 1944;
4:53 p. m.]